

# A NEW EUROPE

BY

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TRANSLATED FROM THE, DANISH

BY

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## PREFACE TO THE SECOND (ENGLISH) EDITION

THE matter set forth in the following pages has, during 1924, been discussed in Norway, Sweden, and Denmark. The result of these discussions appears in the form of certain additions and alterations designed in the first place to give somewhat more detailed grounds than hitherto for the scepticism which it is presumed should be entertained as to the power of the present League of Nations to maintain peace when really serious difficulties arise, as well as its power to reform itself into an effectively peace-ensuring union. Further, a method is suggested (Chapter II, p. 200), for reconciling the two highly justifiable endeavours—one seeking as far as possible to further co-operation and peace between all the states of the world through the medium of the present League of Nations, while the aim of the other is to secure for nations of European culture a lasting, effective peace by the establishment of the proposed Europa Communis as a part of the League of Nations.

C. F. HEERFORDT

ROSKILDE, DENMARK,  
*January 1925*





## PREFACE TO THE FIRST (DANISH) EDITION

THE prolonged duration of the late war made it increasingly evident that it would be followed by a succession of interdependent misfortunes and disasters, arising out of and augmenting one another in such a manner as to threaten, as a highly possible result, the entire annihilation of European culture

But what could be done to prevent this? How check this succession of disasters which seemed to feed and thrive on its own results? Investigation and consideration showed that there really exists a means—and one well known and often applied in the history of the world—effective enough not only to stop the growth, but even reverse its direction, if only it were applied in time. In place of a decline, we should have an upward turn, and our continent might arise from its depth of humiliation in a degree of health and strength never before attained, freed from the canker of dissension which had always eaten away its vitality

Thus means forms the subject of the present work, which has lain unpublished, though in the main complete, for some years past. It was only now, after the development of events had further confirmed the views on which it is based, and to some extent also prepared the soil, that the moment seemed opportune for discussion as to making use of the means in question

Undoubtedly this cure—though the possibility of its application has been hinted at in several quarters—is so drastic in its immediate effects, so radically at variance with all ancient European tradition, that it will, in spite of a great and ever-increasing need for its aid, nevertheless meet with much active opposition and encounter mountains of doubt and scepticism.

The greatest difficulties, therefore, will attend the plans and proposals put forward in this work when it sets out on its missionary progress among the peoples of Europe, to whom it is proposed to introduce it in the most important languages, as soon as can be done. It might, perhaps, have seemed advisable in some ways to have waited still further before allowing it to appear. On the other hand, it can never be too early to commence a systematic and purposeful opposition to the separatist and isolating tendencies which are so greatly on the increase among the peoples of Europe, and threaten to destroy the future position and prospects of our continent.

C F HEERFORDT

COPENHAGEN,  
*January 1924*

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## INTRODUCTION

THE astonishing manner in which the highly cultured peoples of Europe, bitterly against their will, were drawn into the horrors of the war of 1914-18, with almost equally destructive results to all parties, must have made a deep impression on all thinking and feeling human beings. But on none more than on those whose calling it is to combat sickness and death, and create for humanity the best and healthiest conditions of life. At the outbreak of the war, medical men saw all the powers of death, sickness, starvation, and the most wretched conditions of life let loose, not primarily upon the weakly and unfit, but, on the contrary, upon the strongest and most finely developed, those whose physique was best calculated to carry on the race. The present writer, as a medical man, was so deeply impressed with this fact, and with all the terrible results and after-effects of those years of war, that the work among patients and medical research which had formerly been the main object of his life seemed of subordinate importance in comparison with the great question which became more and more insistent

What can be done to hinder and prevent, as far as ever possible, any recurrence of such a war?

In point of immediate importance, this question overshadows all others in the cultural life of humanity, and until it is solved, and the right preventive measures

applied, all other work must take second place. It has become the first duty of all thinking men and women to contribute what they can to the task before us all. And it is from a sense of this duty, in answer to this call, that the following observations and suggestions are now published.

# A NEW EUROPE

## A. ON TRUE AND FALSE COMMUNITIES

It is presumed in the following that intercourse in peace and in war between human communities, nations, and states proceeds according to precisely the same laws as intercourse between the individual human beings of which such communities consist. Now it is a fact that civilised communities have reached a very advanced stage in the matter of precluding war between individual members. Undoubtedly, then, a study of the means employed to this end should give us very significant hints as to the methods to be adopted in seeking to arrive at an effective guarantee of peace between States. Peace within any given community is certainly ensured by co-operation in a union between its members, that is to say, by the organisation of the community, analogously, then, a condition of lasting peace between States should be procurable by co-operation in a union between them. An international organisation suitable for the purpose has then to be arrived at. But how is this to be constituted?

Individual human beings have, from earliest times, made war on one another by virtue of their physical egoism in the struggle for existence. But they have



also undoubtedly been acquainted for the same length of time with the importance of unity among themselves, inasmuch as members of the same family, the same clan or tribe, or even the same people, have realised the enormous advantages which—from a purely egoistic point of view—might accrue to individual members through the maintenance of union between them. From the first origins of the human race, therefore, its life has taken the form of conflict and co-operation of these two powerful motives—egoism and community of interest. And this appears in most remarkable ways. At times, and under certain circumstances, men make war on one another out of an irrational and unrestrained egoism in a manner which as a rule proves to the great disadvantage of all, whereas at other times and under other circumstances the same individuals will work peaceably in unity,\* devoting all their united efforts to the solution of great and important tasks. This co-operation can, indeed, be accompanied by so great a disregard of narrow egoistic considerations that we find the individual devoting his all—his very life—to the service of the common aim.

What is it, then, which can thus put an end to war and discord in a community, and replace it by its opposite—peaceable united co-operation for the good of all? The answer immediately suggested is: There must be some great, important task, appealing to community of interest—and it is right, of course, that the uniting effect of such a task cannot be disregarded. There are, however, in the history of mankind, innumerable instances where a community or a people, faced with a position calling for united effort as an urgent and vital necessity, has nevertheless developed discord and conflict instead of common action. On the other hand,

we may often see men uniting in co-operation for some end of no great uniting importance or effect upon the feelings. The presence of a task, then, is not the decisive factor, nor is the powerful need or wish for a favourable result of co-operation.

Investigation, on the other hand, reveals the fundamental importance of a suitable form of co-operation, and this holds good, moreover, to such a degree that co-operation to a common end, in order to prove effective and yield good and sure results even under difficult conditions, must always be organised in a typical manner according to certain definite rules. The decisive factor in reality is, an arrangement ensuring that the two powerful motives above mentioned—egoism and community of interest—cannot, when difficulties arise, be brought in opposition to each other, but will pull together in the same direction. This condition will be fulfilled when the plan of co-operation is arranged as follows

(1) All decisions for common action are taken by a common institution, a common council binding for all members

(2) The common council is easily and freely able (by ordinary majority) to decide and resolve on matters necessary for the progress of the common work, and to elect the leader or governing body requisite for its execution

(3) Each individual participant in the common undertaking will exert a degree of influence in the decisions of the common council answering as nearly as possible to the degree of importance of the participant, the contribution rendered to the common end.

(4) This contribution, and the proportionate share in the advantage gained, must be determined among

the participants as fairly as possible according to the ability of each to contribute

These four principles contain the constitutional basis for arriving at what we may call co-operation in "true community". In this, our two chief human motives of egoism and community of interest will under all circumstances, and with wonderful rapidity and ease, be directed towards the same end, as if by fusion to a higher unity, however great the previous opposition and competition between them, and however great the difficulties with which the new community is faced

All forms of alliance differing essentially from the type of the true community may conveniently be described as "false communities," since they invariably flaunt the name of community, and yet, when it comes to the point, will in practice prove almost as great a hindrance to effective co-operation between members as true community is an aid

The false community in its most typical form is constituted as follows

(1) All decisions regarding operations in common are in the hands of a common institution, a common council of representatives of the participants, but the decisions of this council are only binding for the participants when unanimously agreed on

(2) The common council has the greatest difficulty in arriving at any decision, in leading and guiding, because its non-unanimous determinations are only valid when sanctioned by each individual participant

This type of organisation is incapable of action as soon as any real difficulty arises. For it will at once be found that such difficulty affects the individual participants in very different ways. Some are seriously inconvenienced, others little or not at all. Some,

indeed, may even profit by it, if only by the fact of others' harm and hindrance proving to their advantage. A state of general confusion may be turned to good account by some. The most fortunately situated among the participants think only of their own immediate advantage, heedless of the fact that the next difficulty arising may act in the opposite way. They cannot even reasonably be expected to act otherwise, since they have no real assurance that the fellow-member whom they help to-day will help them in turn to-morrow. The members of such a false community must inevitably descend to political intrigues one against another, and minor temporary combinations within the whole. The co-operative organism then appears as if suffering from an incurable malignant growth, the real cause of which is, briefly, that the two motives, or driving wheels, of primitive egoism and community of interest within the machinery are directly set to work in opposite directions instead of pulling together. The impossibility of this form for co-operation will best be realised if we imagine it introduced into a limited company, a co-operative society, or a Government. Imagine a Government whose every measure had to be approved by all the provinces in the country. Or suppose the parliaments of the different States were of the "Polish" type, in which each member had the right of veto.

There are, of course, all manner of transition stages between the typical false community and the true, but it is quite remarkable how slight an admixture of the "false" element will suffice to poison the whole to such a degree that friction is apparent whenever any little difficulty occurs, while any serious trouble throws the whole out of gear, or breaks it up altogether.

We can easily find, among civilised states and commu-

nities, hundreds of true communities. Practically all commercial undertakings are of this character. We need only mention limited companies, co-operative societies, and many partnership undertakings. Many trade unions and similar societies are formed on the same principle. And, finally, we may quote the organisation of modern society itself, which, properly regarded, is, despite various apparent differences, based on the same principles.

In course of time, however, quite a number of States have entered into alliance with other States so as to form true communities. First of all we have the States of North America, in 1789, forming a Union which was a true community, in 1848, the Swiss states followed their example. In 1867, the Parliament of London established the Dominion of Canada, a community of the same sort between the British colonies in North America. In 1871 (1867), the German Empire (the North German Federation) was organised in a similar manner, though with certain differences in principle, which gave rise to most unfortunate subsequent developments. Further, we have in 1891 the establishment of the United States of Brazil. And, finally, two more groups of British colonies, with the full support of the Mother Country, follow the example of Canada and found, in 1900, the Commonwealth of Australia, and in 1910 the Union of South Africa.

Co-operation on the principles of true community has, then, long been known, and long tested, by mankind, and there has been ample opportunity of seeing how rarely it fails and how rapidly its good effects appear as soon as it has been formed.

This being so, we may ask with some surprise how it can be that men still not infrequently enter upon

false communities, which never fulfil their purpose, and only lead to difficulties among the parties combining as soon as they are put to the test. The cause lies undoubtedly for the most part in a lack of insight and understanding of the "Theory of Organisation" among those responsible for the formation of the union on these false principles. Presumably, they entered on their task without being fully conscious of the enormous advantages afforded by the true form of community to strong and weaker members alike, and without realising the difficulties and disappointments which a false community must inevitably bring to its members, great or small.

False communities are almost invariably formed under the following conditions

(1) Great and powerful participants reckon to obtain for themselves through the alliance special advantages over other participants, particularly the weaker ones (cf remarks, pp 111 and 112)

(2) Weaker participants, fearing this very thing, yet hope and expect to avoid exploitation as long as the union to which they commit themselves is left as little binding as possible

(3) Those participants which realise the advantages of the true community and support that idea in principle, hope, in course of time, to transform the imperfect union into one of the true type

Only too often all find themselves sadly in error !

The mere fact that both strong and weaker parties apply the same specific each to its own case, the opposite of the other's, shows that either one, or possibly both, of them must be wrong. Actually, it is both. The weaker party has forfeited all positive advantage from the alliance, since decisions requiring unanimity or

qualified majority will, practically speaking, never be to the interest of the weaker, and insult is here added to injury, inasmuch as the stronger will be better able to impose upon the weaker under cover of the union than without it. The stronger have then, it is true, this advantage, but on the other hand they will derive absolutely no advantage from the alliance if those essential difficulties from without, which the union was really designed to meet, should arise and weaken their position. The weaker members will then at once decline to act, a move which is always open to them under the rules (providing for unanimity in council decisions) as soon as they are no longer in fear of the stronger members. Finally, as regards those members who had hoped for a gradual transformation of their false community into a true one, these are perhaps most disappointed of all. For effective co-operation will never be more difficult than when it is a case of effectively reforming the form of organisation itself. In the existing atmosphere of suspicion, when each is on his guard against the rest, any such attempt will be regarded as a dangerous move on the part of some communist idealists, against a justifiable individual egoism—and unfortunately this is just what it will be, in practice. For such endeavours will consist of ingeniously conceived minor reforms, the adoption of which would be obviously detrimental from the point of view of individual egoism, as restricting individual liberty without affording any proportional advantage. The task of reforming the organisation itself, then, must be regarded as futile from first to last. Actually, there is as a rule no other way but to break up the false community altogether, and let the individual members exist by themselves until circum-

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stances and public opinion permit the introduction, all at once, of the only possible and practicable form for co-operation the true community

From ancient times until the present day we find numerous examples of unions of States forming either typically false or partially false communities.

We shall in the following pages consider some of these. None of them, however, is more typical and interesting than the League of Nations formed at Versailles in 1919, the importance and effect of which we shall now proceed to examine



# B ON THE IMPORTANCE AND EFFECT OF THE LEAGUE OF NATIONS IN FURTHERING INTERNATIONAL CO-OPERATION AND POLITICAL PEACE (VERSAILLES, 1919)

## CHAPTER I

### PRINCIPAL POINTS OF THE COVENANT <sup>1</sup>

THE Peace Conference at Versailles very naturally regarded it as a duty to establish the highest possible degree of security against any future outbreak of war, and it was entirely in accordance with this view that the Conference, at its second meeting (January 25, 1919), unanimously accepted the resolution put forward by President Wilson providing the basis on which the League of Nations was subsequently formed. The terms of this resolution were briefly as follows:

That the Peace Conference should bring about the establishment of a League of Nations for the furtherance of international co-operation, to ensure the fulfilment of accepted international obligations and to guard against further wars. The Members of the League to meet periodically, and the League to have a permanent organisation, with a Secretariat to transact the business of the League in the intervals between meetings.

<sup>1</sup> With explanatory remarks by the author on the more important points

In accordance with this resolution, the Peace Conference appointed a Committee to formulate in detail plans for the constitution and activity of the League

By the 14th of February, President Wilson was already in a position to lay before the meeting of the Conference on that date a complete draft of the Covenant of the League of Nations, which document he described as a condemnation of war and a decisive guarantee for peace. The League, however, was not only to maintain peace, but also to bring about closer international co-operation in matters of trade and commerce. The draft Covenant was then passed on to the representatives of the States participating in the Peace Conference for their consideration, and delegates from those countries which had remained neutral during the war were likewise afforded an opportunity of expressing their views on the subject. The Covenant thus revised was laid before a plenary meeting on the 28th of April, and unanimously accepted by the Peace Conference. And it was inserted as the first section in the Treaty of Versailles proper, as also in the later appendix to the same.

In the introduction to the Covenant, it was expressly stated that the object in view was to further international co-operation and ensure international peace, which object was to be attained

By the acceptance of obligations not to resort to war,  
By the prescription of open, just, and honourable relations between nations,

By the firm establishment of the understandings of international law as the actual rule of conduct among Governments,

And by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another

The twenty-six Articles of the Covenant, of which 4, 6, 12, 13, 15, 16, and 26 were supplemented by a revision of 1921, amount in the main to the following

**Article 1** sets forth the conditions of membership.

The Original Members of the League shall be those of the Signatories (the Allied and Associated Powers) named in the Annex to the Covenant

Other States (those neutral during the war) were invited to join the League, and would be accepted as Members on their acceding without reservation to the Covenant within two months of its coming into force

And finally, any fully self-governing State, Dominion, or Colony might become a Member on its admission being agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees and accept such regulations as may be prescribed by the League.

**Articles 2, 3, 4, 6, and 7** set forth rules for the government of the League

The League has two governing bodies (1) the Assembly, and (2) the Council with its permanent Secretariat.

**The Assembly** meets at stated intervals and from time to time as occasion may require Each Member of the League shall have one vote, and may not have more than three representatives

**The Council** consists of two kinds of Members (1) a representative of each of the States permanently represented on the Council (these were at first France, Great Britain, Italy, and Japan, but with the approval of the majority of the Assembly, the Council was empowered to name additional Members of the League whose representatives should always be Members of

the Council), and (2) four, afterwards six, representatives of all the remaining States—those occasionally represented on the Council (To begin with, Belgium, Brazil, Greece, and Spain were represented, otherwise, these four (six) Members of the League were to be selected by the Assembly “from time to time in its discretion” The Council can, also with the approval of a majority in the Assembly, increase the number of Members for States not permanently represented)

In addition, however, any Member of the League not represented on the Council shall be invited to send a representative to sit as a member at any meeting of the Council during the consideration of matters specially (*particulièrement*) affecting the interests of that Member of the League

And finally, the Council appoints the Secretary-General, but with the approval of the majority of the Assembly

**Article 5 gives the rules for resolutions and decisions.**

Decisions at any meeting of the Assembly or of the Council require the agreement of all Members of the League represented at the meeting, except where otherwise expressly provided in the Covenant itself All matters of procedure at meetings of the Assembly or of the Council, including the appointment of committees to investigate particular matters, may be decided by a majority of the Members of the League represented at the meeting

Explanatory Remarks —*There is nothing which stamps the character of the League more plainly than this provision that the decisions of its leading organs—with some exceptions insignificant in principle—must be unanimous in order to be valid What this means to the working capacity*

of a corporation will be plain to anyone who has ever had occasion to observe the effects of our manifold human nature in a gathering where opposing interests are represented. The point is treated in detail in the previous section *On True and False Communities*.

The provision, as to unanimity might in itself appear as a safeguard to the interests of the minor Powers, actually, however, it merely ensures the independence of the Great Powers severally in their relations with the Council. The economical-political dependence of the minor Powers upon the Great Powers, in conjunction with the existing desirability, for small nations, of maintaining amicable relations with all the Great Powers (cf., *inter alia*, the explanatory remarks to Articles 12, 13, 14, 15, 16, dealing with rules for settlement of disputes between Members of the League) will as a rule, when it comes to the point in cases of real importance, render it inopportune for a minor Power to give a negative vote, whereas the Great Power can exercise its right of veto freely as often as its interest or inclination suggest.

Articles 6 and 7 deal with the Administration of the League.

Article 8 (with Article 9) deals with the question of Armaments.

The Members of the League undertake to reduce their national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations (*avec l'exécution des obligations internationales imposée par une action commune*).

The Council, taking account of the geographical situation and circumstances of each State shall formulate

plans for such reduction for the consideration and action of the several Governments. Such plans shall be subject to reconsideration and revision at least every ten years. And finally, after these plans have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council

Explanatory Remarks—*It should be borne in mind that the unanimity clause as regards decisions of the Council will, in practice, place the Great Powers in a position, in the matter of armaments, different from that of the ordinary States not represented on the Council. A single Great Power can, by means of its vote in Council, veto any proposal for reduction of its armaments beyond what it is itself disposed to concede. But a Member of the League not represented on the Council can hardly be supposed to have any such privilege, since a matter of this sort, affecting the League as a whole, can after all perhaps hardly in every case (e.g. danger or outbreak of war) be interpreted (cf. Article 4) as a matter specially affecting the interests of the Member concerned. This distinction is the more important from the fact that it cannot be seen to be in any way contradictory to the above-quoted provisions of the Article as a whole, in case the Council should—after the first (limiting) arrangement of a Member's armament—at any time think fit, on revision of the question as to such Member's proper minimum (which lies within the scope of the Council at any time), to recommend an increase of the minimum originally fixed, when difficulties arising lead to a different interpretation or estimate of the Member's geographical situation and circumstances. True, individual Members have no formal obligation to comply with the recommendations of the Council in the matter of armaments, and in excellent agreement with this we find also that*

*the League Council proceeds in such cases by appointing a Commission which asks the advice of experts and collects information from all the individual Members of the League, after which, it lays the reports and drafts prepared by the Commission before the Assembly. The Assembly then deals with, amends, and passes the proposal—always as a draft—afterwards placing it before a special Conference consisting of representatives of the separate Governments. Not until this conference stage is reached is the draft raised to the rank of a definite plan, to be agreed to by the Governments represented at the conference. Undoubtedly, then, the fact that individual Members of the League (and here especially States not represented on the Council) have no obligation to comply with the suggestions of the Council, will remain valid not only formally on paper but also in practice, as long as no special difficulties arise in the form of imminent danger of war. But what will happen then, when real political unrest does break out? Will the Council still find it opportune to use the same long departmental processes? Will not the procedure become slightly more summary in its nature? And what then will be the position of the minor States? What Government would, under such difficult circumstances, venture to disregard the recommendations of the Council, and thereby draw upon itself the ill-will of the Great Powers, giving them at the same time the best of excuses for holding aloof when the threatened peril became imminent?*

**Article 10 ensures the territorial integrity and existing political independence of all Members of the League**

The Members of the League undertake to respect and preserve against external aggression the territorial integrity and existing political independence of all Members of the League. In case of need, the Council

shall advise upon the means by which this obligation shall be fulfilled

Explanatory Remarks—*The obligation contained in this Article must be presumed to hold good under all circumstances, and thus, for instance, where recourse to the rules of the Covenant for settlement of international disputes having failed, the way is left open for deciding such dispute between two or more Members by force of arms. Even in such case, no Member would, without a breach of the Covenant, be able to take possession of the whole or any part of the territory of another Member consequent upon a successful war*

Article 11 deals with the obligation of the League to take action in the event of any war or threat of war arising wheresoever.

The Article expressly declares that any war or threat of war, whether immediately affecting any of the Members of the League or not, is a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations

Articles 12, 13, 14, 15, and 16 lay down the rules for settlement of disputes arising between Members of the League, and the consequences of a breach of such rules. Plans for the establishment of a Permanent Court of International Justice are to be formulated (this Court has since been established).

The rules for settlement of disputes arising between Members are in the main as follows

(1) Matters which the parties interested themselves regard as suitable for arbitration or legal decision, and dealt with accordingly. If one party complies with the



demands imposed by the decision or arbitration, the other may not have recourse to war. Hostilities may not be commenced within less than three months from the decision of the judges or arbitrators.

(2) Matters not considered suitable for arbitration or legal decision and likely to lead to a rupture, shall be submitted to the consideration of the Council, which may not extend over more than six months. The procedure here is as follows. The Council first endeavours to effect a settlement of the dispute. Should this fail, the Council shall make and publish a report containing the facts of the dispute and the recommendations deemed just and proper in regard thereto. If a report by the Council is unanimously agreed to by the Members thereof other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report. If the Council fails to reach a report which is unanimously agreed to by the Members thereof, other than those in dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

The Council may refer the dispute to the Assembly, and the dispute shall be so referred at the request of either party, provided that such request be made within fourteen days after the submission of the dispute to the Council.

War may not be commenced within less than three months from the decision of the Council, or of the Assembly as the case may be.

Should any Member of the League resort to war in disregard of the above provisions for settlement of

disputes between Members, such Member shall be regarded as having, *ipso facto*, committed an act of war against all other Members of the League, which then undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and those of the covenant-breaking State, further, to support one another mutually in the financial and economic measures which are taken under this Article, and in resisting any special measures aimed at one of their number by the covenant-breaking State, and also, to afford passage through their territory to the forces of any of the Members of the League co-operating to protect the covenants of the League. It is also the duty of the Council to recommend to the various Governments interested what active land, sea, and air forces should be contributed by the several Members to the military forces employed to enforce the obligations of the League.

Explanatory Remarks—(1) *Political disputes of any real importance would undoubtedly not be decided by arbitration, but in practically all cases be brought before the Council. The more important, then, is the question as to how far the Council itself is in a position to arrive at a just decision in cases of real difficulty. The task is rendered extremely difficult from the outset by the fact that the judges are professional politicians, who, on all other occasions when they attend the Council meetings, would do so with a view to maintaining the interests of their several countries, consequently, in settling disputes between other parties, they would be further induced to let themselves be guided by consideration of the interests of their respective countries, from the fact that all other representatives on the Council might reasonably be expected to view the question at issue in a similar light.*

*An even greater peril to the possibility of just decisions, however, is the provision as to unanimity (save in the case of the implicated parties) being required in order to avoid having recourse to force of arms. For this means, in reality, that any Great Power (or minor State) implicated in a dispute will, as long as it either has a devoted adherent on the Council or has previously secured the support of one of the Members on the point at issue, be able to rest assured that the Council must either come to a decision in its favour, or leave it free to employ force. Moreover, a minor Power will be liable to all kinds of harm if it has a single decidedly hostile opponent with sufficient freedom of action on the Council.*

*We see, then, that the interests of a State politically isolated within the League are always in jeopardy, that the whole arrangement is highly calculated to encourage servility on the part of smaller States towards the greater ones, and that small States have to be at least as careful in their behaviour as before the establishment of the League.*

Explanatory Remarks—(2) *Emphasis has been laid on the fact that the Council cannot compel the individual Members of the League to furnish military forces, but only suggest such action to the various Governments concerned (whose countries are mainly interested in the matter, whom it chiefly concerns, or perhaps are merely nearest to the sphere of operations) as indicated in the following passage in the Covenant, in French and English respectively.*

*"En ce cas, le Conseil a le devoir de recommander aux divers Gouvernements intéressés les effectifs militaires . . ."* and *"It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military force. . ."* But as such recommendation thus expressly only applies to the various Powers

*"concerned" it seems, in practice, of minor importance whether the Council "demands" or "recommends". For in the case of the Great Powers, this question is absolutely devoid of importance, seeing that the Council, owing to the unanimity clause, could neither command nor recommend anything at variance with the interests of any Great Power. And in the case of a minor Power interested in any conflict that may arise, the recommendation will without doubt, when it comes to the point, be equivalent to a command, as a State refusing to comply with the recommendations of the Council—one of the Great Powers—would thereby furnish the Powers in question with the best possible excuse for repudiating their obligation to support it in the progress of the conflict, and also to let the minor Power or Powers in question pay the price on settlement of the conflict.*

Article 17 deals with the position of the League in the event of war being declared upon a Member from without, and in case of war outside the League.

Should a Member of the League be threatened with war from without, or in the event of a dispute likely to lead to war arising between States not Members of the League, the Council shall invite the non-Member States concerned to submit their differences to settlement by joining the League themselves while the question is being settled, and by utilising the institutions of the League and its rules for settlement of disputes between Members. Should a non-Member State decline such invitation, and commence war against a Member of the League, then the Members are under the same obligations as regards support of the party attacked as if one of its Members had resorted to war and committed thereby a breach of the Covenant rules.

Should both parties decline such invitation, the Council may take such measures and make such recommendations as will prevent hostilities and will result in a settlement of the dispute

Members of the League are, in fact, under obligation to support one another in the event of war or peril of war from without, which is clearly apparent from Articles 10 and 11, while it is also expressly provided that the Secretary-General, in such cases, at the desire of a single Member, shall convene a meeting of the Council, whose duty it is to advise upon the means whereby this obligation shall be fulfilled

Articles 18, 19, and 20 deal with the obligation of Members to register all treaties and international engagements with the Secretariat, and to amend, where necessary, all existing, and formulate all future international engagements in accordance with the terms of the Covenant of the League

Article 22 deals with the temporary administration of certain territories on behalf of the League through the medium of Mandatories.

Articles 23, 24, and 25 deal with international supervision, by the League, of conditions of labour, agreements regarding traffic in women and children, opium, arms, prevention and control of disease, etc., also protection of the Red Cross Organisation, and the direction where possible by the League of established international bureaux and commissions, etc.

Finally, Article 26 gives the rules regarding alterations in the Covenant of the League. The principal point here is that amendments require ratification by those

Members of the League whose representatives compose the Council, and by a majority of those Members whose representatives compose the Assembly. No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

### Members of the League of Nations

(1) Original Members, as signatories of the Treaty of Versailles: Belgium, Bolivia, Brazil, British Empire, Canada, Australia, South Africa, New Zealand, India, France, Greece, Guatemala, Haiti, Hedjaz, Honduras, Italy, Japan, Liberia, Panama, Péru, Poland, Portugal, Roumania, Yugoslavia, Siam, Czecho-Slovakia, Uruguay.

(2) States invited to accede to the Covenant: Argentine Republic, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland, Venezuela.

(3) Admitted in 1920: Albania, Bulgaria, Costa Rica, Finland, Luxemburg, Austria. In 1921: Esthonia, Latvia, Lithuania. In 1922: Hungary. In 1923: Abyssinia, Ireland. In 1924: Dominica.

## CHAPTER II

### ON THE VALUE OF THE COVENANT OF THE LEAGUE AS A MEANS TO THE PREVENTION OF WAR BETWEEN ITS MEMBERS

IN considering this question, we may fittingly begin by noting that the principal source from which peril of war arises is undoubtedly the present maintenance of the principle of cynical egoism as the guiding line for the foreign policy of individual communities. Until absolutely reliable international security is established each Government must presume that the Government of every other State is endeavouring by every possible means to further the interests of its own State at the expense of all others, utilising every opportunity which may arise. In consequence, every individual State is obliged to follow the tactics of the pack, and, as far as its means permit, to act in accordance with that same cynical egoism, whose effective means of action include first and foremost that of war. It thus becomes the duty of every State to be constantly on its guard, constantly to maintain an attitude of suspicion, never to feel secure. Even though the Government of a State quite realises that it and all other States with it could gain the greatest advantages if all were to relinquish these prevailing lines of policy in favour of others more humane, a change in this direction would always be dangerous until fully effective guarantees were forth-

coming for the simultaneous adoption of like principles by a sufficient number of other important States. It is immediately obvious, for instance, that any State which ventured to disband its military force while other States retained theirs, would place itself in a position of the greatest jeopardy. Similarly, no State could adopt the principles of free trade without endangering its subsequent commercial prosperity, unless it were definitely assured that other States would not set up strong protective barriers in its disfavour.

The founders of the League of Nations naturally realised this, and naturally endeavour to meet the difficulty thus arising. The question of principal interest is therefore

**How far does the Covenant of the League of Nations really ensure that its Members will relinquish the methods of cynical egoism in favour of more humane principles?**

The measures taken to achieve this end are of three kinds

(1) First and foremost, it is provided (Articles 18, 19, and 20) that Members may not enter into, or maintain existing, international engagements likely to lead to peril of war, and that all treaties and international engagements entered into by Members shall be registered by the League and made public.

It will easily be realised that these provisions, interesting though they may be, by no means afford any real hindrance to diplomatic trickwork and consequent peril of war. Secret diplomacy can still undoubtedly be carried on in spite of the League, by suitably instructed agents, for instance. A highly instructive instance of this is afforded by the political



events which followed the Great War, when the various moves in the game of secret diplomacy between the two leading Members of the League, England and France, were beyond all doubt responsible for the long Græco-Turkish war in Asia Minor and all its dangers of further complications on European soil

(2) Articles 12, 13, 14, 15, and 16, again, lay down a series of rules for settlement of disputes between Members, while Articles 10, 11, and 17 contain provisions for counteracting the danger of war from without, and it is very possible that these regulations may prove of some importance in preventing the outbreak of war between minor Powers, that is, as long as the matters at issue really are locally restricted in origin and importance, and not actually the outcome of conflicting interests among the Great Powers. An instance of this last is likewise afforded by the Græco-Turkish War in Asia Minor in 1921-22, presumably originating in a collision between English and French interests in the Near East. But it is hard to see how the rule referring disputes between Members to the consideration of the Council (duration, six months maximum, war not to be declared till after a further three months, cf. Article 15) could prevent the outbreak of war between Great Powers or groups of such as long as a single State represented in the Council (apart from the State responsible for the war) could be found willing to vote in favour of war (cf p 31, explanatory remarks to Articles 12-16). As in the past, so also in the future, the Government of any Great Power considering it necessary to have recourse to war in order to preserve the interests of its country, must have built up a state of public opinion favouring that step, and otherwise prepared the way within its own frontiers, at the same time taking

measures to secure the support of one or more other States. This was formerly regarded as a *sine qua non* in the preparation for war, and when, under present circumstances, this condition is fulfilled, it must and will of itself have ensured that at least one member of the Council will, in the negotiations for settlement of the dispute, vote only for such an arrangement as would suit the Great Power concerned. The result then will simply be that the Council will always find itself in practice reduced to the choice between either complying with the demands of the Great Power in all essentials, or giving a non-unanimous decision, which would, after the lapse of three months, leave the road open for hostilities. It will undoubtedly be possible, also in the future, by suitable diplomatic finesse, to bring about a state of affairs in which it would be a matter of the greatest difficulty to discern who was the real prime mover in a war thus arising in defence of a people's "most sacred rights and privileges." And the Treaty of Versailles has itself left ample sources for such conflicts of interest between the nations.

(3) With a view to averting peril of war, it is further incumbent on all Members of the League to reduce their armaments to a minimum, determined on the one hand by the need of ensuring the national security of individual States, and on the other by the requirements of common action in maintaining the principles of the League itself. True, the Council is required to formulate plans for such reductions, but as long as the unanimity clause exists, how can the Council exert any real influence on the magnitude of armaments which the Great Powers themselves consider necessary for the preservation of their vital interests?

It is thus evident that the establishment of the League

of Nations has not provided any really effective guarantee against the outbreak of war between Members of the League, and in view of the fact that countries of such importance as Russia, Germany, and the United States of America are not included among the Members, we have obviously to reckon with the fact that the Great Powers will still, as heretofore, feel compelled to safeguard their respective interests to the utmost of their capacity on the old principle of cynical egoism, entirely regardless of whether they are Members of the League or not (cf., *inter alia*, the whole attitude of France since the late war)

This being so, it is naturally of particular interest to consider the question treated in the following chapter

### CHAPTER III

#### THE IMPORTANCE OF THE LEAGUE OF NATIONS IN SAFEGUARDING THE INTERESTS OF MINOR STATES

PRIOR to the formation of the League of Nations the smaller States were, theoretically, free to take their own line in the event of war between the Great Powers, this theoretical freedom of action would, however, naturally only hold good in actual fact as long as the States in question were so situated that the belligerent Powers, all things considered, could not count on any positive advantage to themselves by involving their smaller neighbours in the war

The course of events during the late war affords in itself sufficient evidence of this. One country after another was, so to speak, "forced to volunteer." Among European States, only the Scandinavian countries—Holland, Switzerland, and Spain—preserved their neutrality, and the reasons are plainly evident.

In the case of the Scandinavian countries (primarily Denmark and Sweden), the possibility of maintaining their neutrality rested mainly on the accidental circumstance that the existence of the Kiel Canal, in conjunction with the proportion maintained throughout the war between the strength of the German fleet and that of the Western Powers, prevented the latter from entering upon any naval offensive in the Baltic. In the case of Holland and Switzerland, the decisive factor

was their very considerable readiness for war, in conjunction with the difficulties of military operation in their territory (mountains, canals, rivers, floods) And Spain escaped by reason of its remote situation, its size, and its relatively greater independence of the two belligerents

The minor States have now, by joining the League of Nations, agreed to accept the following positive obligations

(1) They are to receive "recommendations" (with which they will probably find it most opportune, in practice, to comply when difficulties or danger arrive) regarding the armaments which the Council considers they should maintain, having regard both to their own national security and the carrying out of their obligations as Members of the League (Article 8)

(2) They are to participate in securing the territorial integrity and political independence of all Members of the League, as soon as any attack from without is made or even threatened. The Council will in such case "advise upon the means by which this obligation shall be fulfilled" (Article 10)

(3) Should any Member resort to war, disregarding the rules of the League for settlement of disputes (Article 16), or should any non-Member State attack a Member of the League without having previously submitted the dispute to consideration by the Council (Article 17), then all minor States belonging to the League (as well as the Great Powers) have, according to Article 16, to fulfil the obligations here noted on p 31. It is then the duty of the Council to recommend to the Governments of the countries which, in the opinion of the Council, are most nearly concerned (cf p 32, explanatory remarks 2), to provide the military supports

for the common action deemed advisable by the Council. And the smaller Members, whose interests are affected, whose position, indeed, may be jeopardised by the action of the State making war, will undoubtedly find it advisable in practice to comply with whatever recommendations may be made by the Council as to military support in the common action of the League against the aggressor.

We will now endeavour to show the possible importance and effect, for a minor State, of its obligations as a Member of the League, by means of the following

#### IMAGINARY EXAMPLE,

which, however, is by no means to be regarded as an attempt at forecasting the progress of events during the coming half-century.

Towards the close of the 1940's, a state of increasing tension arose between Russia—whose industrial activity, aided by the considerable degree of immigration from Germany, was making very marked progress—and Finland, together with the Baltic States, Esthonia, Latvia, and Lithuania. The ancient tendency of Russia towards territorial expansion had awakened anew, and in conjunction with this might be assumed, as a main feature in its policy, the exclusion of England's dominant commercial-political influence on the numerous minor States round the Baltic. The economical life of Russia was stated to be suffering from lack of sufficient unimpeded access to the Baltic.

Russia had, like Germany and the United States of America, found it most consistent with its interest to refrain from joining the League of Nations. Political intrigues were evidently in progress, and the situation seemed increasingly threatening. Russia was known to be steadily increasing its armaments, while at the same

time France and Germany were making increased efforts as rivals for its favour, a state of affairs due partly to the old ill-will between France and Germany, and not least, to considerations of vital commercial-political interest. The danger of war was thus plainly increasing.

It remained to be seen which Power (Article 11, section 2) would draw the attention of the Council to this state of things. Finland and the Baltic States recognised the enormous difficulties attending any action on the part of the Council from the fact that its decisions were required to be unanimous (Article 5, section 1), and feared the consequence of making any application before suitable agreement had been arrived at between the Great Powers represented on the Council. They had repeatedly approached England privately, that country being presumed to share their views. English diplomacy was hard at work on the question, but met with the greatest opposition on the part of France, whose interests did not harmonise with those of Great Britain. By affording protection to the Baltic States, France would risk losing ground with Russia, to the corresponding advantage of Germany, which country desired nothing better than the creation of political differences which might increase its chances for obtaining revenge for 1918. Consequently, nothing was done by the League until Russia, which had all along been prosecuting its preparations for war, began making representations to the Baltic States and Finland, in the form of demands which became more and more categorical, and amounted to a Russian annexation of the Baltic States, with the almost complete annihilation of Finnish independence.

The Council was then at last convened, at the instigation of England. The Secretary invited Russia (Article 17), on behalf of the Council, to join the League temporarily, in order that its dispute might be dealt with by the Council, and the public throughout Europe was for some time anxiously waiting to see what attitude Russia would take in response to the invitation.

Should Russia simply proceed to attack Finland and

the Baltic States, the League would be under obligation to furnish help by League action—but what would be the practical outcome of such support? It might be presumed that the fear of the attitude which Germany might take at some period of the dispute would greatly hinder the contribution of land forces from South and West Europe. The complete lack of any common organisation of the Powers and military forces of the League would, indeed, more surely give Russia a free hand and the most decisive superiority, at any rate during the early phases of the war.

On the other hand, what would be Russia's position in the event of its acceding to the invitation of the Council and awaiting the latter's decision? Several possible alternatives might be imagined. (1) The difficulties of the case might prove so serious that the Council could not (i.e. the Great Powers found it incompatible with their interests to) give a decision within the time limit of six months provided in the Covenant (Article 12). The League would then be put out of action as far as this particular case was concerned. (2) Possibly, however, certain parties in the Council might prefer the giving of a non-unanimous decision, the effect of which, again (Article 15, section 7), would in the main come to the same thing. (3) Finally, there was the possibility that the Council would find it best to give a unanimous decision, in such case, however, Russia could, by virtue of its favourable military position in conjunction with the marked opposition existing between France and Germany, safely assume that the unanimous decision of the Council would fulfil the demands of Russia in their entirety.

Russia would thus have nothing to lose by accepting the invitation. It might, further, take it for granted that the trial of strength in the Council regarding the formulation of its decision would increase the secret and open opposition existing between the Members of the Council, and it was certain that the League would not be able to make any preparation for common belligerent action, while Russia itself could proceed at leisure with its warlike preparations to the last detail.



In May 1949 the Council commenced its deliberations. As was to be expected, these were attended with the greatest difficulty. Nevertheless, the result was a unanimous decision. England had succeeded in bringing about a compromise which agreed to the Russian demands in the main, but without entirely surrendering the independence of Finland and the Baltic States (i.e. avoiding any literal and indubitable breach of Article 10). Naturally, the result was even then greeted with grief and anger in Finland and the Baltic States, whose people had to the very last hoped for a more favourable outcome of the negotiations, and a bitter conflict now arose in the States themselves, on the question as to whether it were not better to fight alone, in a desperate struggle against Russian aggression, rather than sign and legalise an arrangement which practically put an end to the independence recently gained. The result was a postponement of the matter until Russia had declared its attitude. Russia itself hesitated until January of the following year, and then, still without sending any answer to the Council, invited the other parties to enter into negotiations. These were prosecuted in a very dilatory fashion, Russia at the same time placing the finishing touches to its preparations for war, which it had had ample opportunities of carrying on while the Council had been dealing with the question. For some months it really seemed to an outsider as if the Russian-Finnish-Baltic negotiations might after all lead to some result, and the feeling of uncertainty among Members of the League had already begun to wane when Russia, whose plans were of a wider scope than had yet been apparent, and whose aim was to take the fullest advantage of its comprehensive preparations, suddenly broke off negotiations in the summer, mobilised its forces, and sent a note to the Council declining to accept its recommendations. Immediately after, notes were received from Finland and the Baltic States accepting the Council's proposal, and the League was thus unquestionably bound to take action against Russia. The rapid succession of events now following was marked on the one hand by

the determination and accuracy wherewith Russia set its well-prepared war machinery in motion, and on the other by the adverse fate which attended the efforts of the League

In a very short time, Russia was able to commence operations with one and one and a half million men against Esthonia-Latvia and Finland respectively, while the concentration of two armies each of three-quarters of a million men against the Roumanian and Polish frontiers was in full progress

The outbreak of war naturally gave rise to a considerable ferment and unrest, especially in North and Central Europe Roumania and Poland did, it is true, commence to mobilise on their own account, but found it otherwise most advisable, in their exposed position, with the fear of attack in the rear, to maintain an attitude of reserve, and await the instructions of the Council, whose duty it was to indicate the means to be employed against any attack upon Members from without The Council was convened in Paris After a fortnight's difficult negotiations, in the course of which England's representative endeavoured to obtain the full agreement of Italy and France to League action, a decision was finally arrived at, with the requisite unanimity, to the effect that (1) the Council notes that France, Italy, and other Members of the League will at the earliest possible moment afford such military support to an action on the part of the League as the consideration of their difficult position might allow, (2) the Council recommends the Powers chiefly interested in the outcome of the war, *in casu* Norway and Sweden as adjacent to Finland, Denmark as situate at the entrance to the Baltic, and further, Poland and Roumania, to furnish the threatened countries near them with all possible military support As an aid to such action, England, France, and Italy will, despite the burdens still left upon their resources as a result of the war of 1914-18, at once support the States taking immediate action with a temporary war loan of 100 millions sterling in all, towards the purchase of war material, to be delivered without delay by English, French,

and Italian factories, (3) furthermore, the Council states that it has secured the consent of Japan to powerful intervention in Siberia, as soon as the general action by the frontier countries is fully started, (4) and finally, the Council calls attention to a declaration by England to the effect that this country is willing to contribute to the general action at once by an extensive naval movement in the Baltic, it will also continue the delivery to Finland and the Baltic States supplies of aerial and other military material, much of which has already been furnished, and support a Danish, Norwegian, and Swedish campaign by sending a contingent of 200,000 men to the scene of operations via Gothenburg. England also promises further help when like assistance is rendered by France and Italy.

Meantime, however, emphatic protests were received from all the minor Powers which the Council had attempted to throw into the firing line at the outset. They felt the burden of war imposed on them to a disproportionate degree, feared to be left in the lurch, and objected to the recommendations made on the ground that the Council had itself recognised that the case in question was one specially affecting the interests of these States, and that the Council should therefore (cf. Article 4, section 5) have invited them to send representatives to take part in the negotiations as Members of the Council themselves, which would also be in accordance with the custom previously observed. Had this been done, they would never have agreed to the issue of the recommendation actually made, until they had received adequate assurance of effective aid from the other States. The Governments concerned could hardly imagine that it would be possible in the circumstances to bring public opinion to the point of acceding to a recommendation which the countries themselves, according to the terms of the Covenant, were not compelled to accept. The Council acknowledged that its method was against the custom previously observed. It was, however, reasonable to have another method of procedure when war had broken out than in times when profound peace prevailed. The Council must also point

out that its present method of procedure was in far better accord with the text of the Covenant than the previous interpretation and practice. The provision of the Covenant in question was, of course, only intended to apply to cases particularly concerning an individual country, and not to cases such as the present, where the matter was, after all, really one for the League as a whole, equally affecting a large number of Members. The Council regarded its own competence in the matter as beyond all question. It maintained the recommendation as issued, and declared that the protesting Governments must be held entirely responsible for any consequences of their continued refusal to comply. England privately urged the inadvisability of such refusal. It pointed out that Russia's plans must be of a very far-reaching character, since it had refused to be content with a decision of the Council which practically gave it the same access to the Baltic, and the same position with regard to that sea, as it had enjoyed prior to 1914. Russia was now apparently aiming directly at the Sound, as the possession of this channel, with both its sides, was the only way to ensure its free and unhindered ingress and egress to and from the Baltic, which meant so much to its position here, and without which it would always be utterly powerless in the northern seas. The war was thus in reality a matter of life and death for the northern countries as independent nations. The dismemberment of Europe into so many minor States had left Russia in a position of greater superiority than before, and unless the three Scandinavian countries threw their whole force into the scale, no support whatever could be reckoned with from the Western Powers. Under these circumstances, the Scandinavian countries had no choice, and at the end of August, Denmark, Norway, and Sweden called up the whole of their available man power. The Polish army had been mobilised immediately on the outbreak of war, and now began to enter Russian territory. Roumania, on the other hand, had not yet commenced operations, that country being in a state of unrest which had seriously hindered the work of mobilisation.

Meantime, Russia had attacked Esthonia, Latvia, and Lithuania with great force. The resistance offered was overcome without great difficulty, and by the middle of August the Russians had already advanced as far as the Niemen, thus establishing free contact with German territory. In Finland, however, the Russians found great difficulty in overcoming the resistance offered, despite the expenditure of considerable forces here. The Finnish troops, with the aid of supplies of material, etc., from England, maintained a stubborn defence, week after week, against the Russian forces, outnumbering them by more than six to one, in the region between Saima and the Gulf of Finland, where the nature of the country offered serious obstacles to an attacking force. The Finns were still waiting in vain for the dispatch of reinforcements, which need not have been great in number to prove effective if dispatched at once, but which, for the reasons noted above, were not forthcoming in July or August, not, indeed, until late in September. It was not until the beginning of October that sufficient English, Norwegian, and Swedish troops had been concentrated in Sweden, and other necessary preparations made, to permit of the transport of reinforcements on a large scale across the Gulf of Bothnia. By that time, however, the Russians had already made themselves masters of Finland to such an extent that the sending of troops now would not only be risky, but also probably valueless, owing to the fact that France—fearing lest the victory of Russia might lead to further Russo-German *rapprochement*—had both in the Council of the League and by private representations to Russia itself made proposals for an armistice with a view to the speedy termination of the war.

Private negotiations with this end in view, in October and November, however, served to show only that England's estimate of the Russian plans, above quoted, was correct, inasmuch as further demands of a comprehensive character were now put forward by Russia. The Russians demanded, firstly, the cession of great parts of Poland, and privileges and transport facilities on the Scandinavian peninsula (in

Trondhjem, Gothenburg, and on lines of communication leading eastward from those towns) which were incompatible with Norwegian and Swedish independence. And more particularly, as a startling facer to France, the revision of the Treaty of Versailles in reference to Germany. And since it was now beyond question that constantly increasing supplies of war material had been sent into that country, from the moment when the Russians established a point of contact at the Niemen, the presenting of the Russian demands implied the existence of an undertaking between the two countries for a Russo-German co-operation as soon as Russia's military operations had been successfully carried to a certain point.

The foregoing example has now served its purpose, and it will not be necessary to follow up the development, showing how such co-operation might lead to a Russo-German hegemony in Europe, with all the Slav countries, as well as Norway, Sweden, and the eastern Danish islands as Russian, and Austria, Switzerland, Belgium, and Holland, with Jutland and Funen, as German confederated States. We shall merely point out here, by way of conclusion to the mental experiment, the interesting fact, which should be plain to all concerned with the possibilities of political development in Northern Europe, that a Russo-German hegemony in the Baltic, with a really stable equilibrium between Russian and German interests, could only be arrived at by making the Skagerack, the Cattegat, and the Great Belt, with the Langelandsbelt, the line of demarcation between the two spheres of interest. Russia and Germany would in such case have each its own sure entry to the Baltic—Russia in the Gøtakanal and the Sound, Germany in the Kiel Canal and the Little Belt. Midway between the two spheres of interest would then be the Great Belt-Langelandsbelt as open to all in peace and belonging to none in a war.

Taking now the course of events indicated in the imaginary example of a great European dispute under the ægis of the existing League of Nations as a background, we will in the following endeavour to show the weak points in the organisation of the League which are most serious, especially for the minor States.

These will first of all become apparent in the opening stages of a dispute threatening war

The deepest rooted causes of such disputes are, as a rule, events lying decades farther back in history, or even half a century. Whether existing germs of conflict are to die out or develop further will depend entirely on the policy adopted by those Powers which are interested in the question, that is to say, first and foremost the League of Nations as such. But who now determines the policy of the League? Strange as it may seem, there is in reality no one at all. The League is composed of a large number of minor States and some few larger ones, the latter permanently represented on the Council. These last have each its own particular policy. Minor States, on the other hand, will, in view of their obligations under the Covenant, find themselves in practice debarred from adopting any policy at all in questions concerning war or peace. They cannot even—as formerly—keep aloof and take care of themselves, as far as their liberty of action allows them in economical respects. They are definitely bound to take part with the Great Powers in the political complications arising out of the individual policy prosecuted by these Powers one with another, possibly even at a moment when danger threatens from without.

We here touch on two features of the organisation which will prove of fatal significance to the minor States in the initial stages of a dispute threatening war

(1) The greater States which are Members of the League are not prevented from carrying on political action against the interest of other Members, or among themselves, a fact which is highly conducive to the outbreak of disturbances leading to war, in which the minor States would then automatically become involved.

(2) The minor States which are Members of the League will in practice be found to be divested of all political power, with no voice in the policy regarding war and peace which may be adopted by the few greater States, which can thus determine among themselves questions of vital importance to the minor States

With the above example in mind, we may now endeavour to test the value of the Covenant as a safeguard for the smaller States in the event of a dispute which brings them into conflict with the greater Powers. It will here really suffice to refer to p. 31 with the remarks to Articles 12-16. We will merely once more draw attention to the fatal influence of the unanimity clause on the "justice" of the decisions arrived at. Will it not be found in practice that whenever a really dangerous dispute arises, there will always be at least one Power represented on the Council which would find it incompatible with its own particular interests to take any real steps in defence of the minor State? In other words, we have the following state of things in the organisation of the League, as seriously affecting the smaller nations:

(3) The organs of the League for settlement of serious disputes will, in the event of conflict arising between a minor State and a really influential great one, rarely be able to arrive at a unanimous decision essentially



opposed to the interests of the greater Power. Consequently, the result of the League's endeavours to settle such conflict may safely be presumed to be a unanimous decision to the prejudice of the minor State involved, or a non-unanimous decision leaving the way open for settlement by force of arms.

If, again, we proceed to consider the importance of the provisions in the Covenant as to reduction of armaments (Article 8) as affecting the position of great and smaller States respectively, we find

(4) That the League organisation really gives the States represented in the Council—if they are agreed—a possibility of imposing on certain minor States a reduction, or increase, at their pleasure in the armaments of the latter according as either may be found best suited to the policy of the greater States themselves.

In proof of this, we may refer to p 27, remarks to Article 8. The Council could certainly, whenever any dispute arose specially affecting a number of smaller Members, e.g. a Black Sea–Dardanelles question, or a Baltic–Sound question,<sup>1</sup> make recommendations to a number of smaller interested Powers, to the effect that they should, in view of their geographical position and circumstances, increase their preparations for war. And would not such recommendation in practice be very nearly equivalent to a command, or would the

<sup>1</sup> Disputes concerning inland waters generally turn on the question of entry to the waters in question, that countries round the Baltic have now for a century been spared such conflicts (save for the war between Denmark and Germany in 1864), is due to the fact that the question as to possession, by one or two Great Powers, of the entries to the Baltic has not been acute during that period.

Council ever agree to issue such recommendation if it did not entirely suit their own wish and requirements ?

Then arises the question as to how the minor Members of the League would be placed in the event of hostilities actually breaking out between the League and one or more greater States

As in the example given above, the Council would undoubtedly in practice always find itself opposed to a well-prepared opponent, who knows what he wants and has carefully prepared and equipped himself therefor, and who can, moreover, if it suits his purpose, allow his case to be subjected to lengthy consideration by the League arbitration machinery, which would give him further time and opportunity for military preparations

The State desiring war will have freedom of action and be well equipped for the purpose, an individual minor State within the League will be correspondingly hampered in its movements, and probably unprepared. It would not have been able to increase its armament without the unanimous consent of the Council, it knows, as we have shown above, more or less how the arbitration process will be, but it knows nothing as to the further consequences of the same, and still less can it divine what decisions may be arrived at by the Council in the event of the conflict coming to a head. It is the duty of the Council—always unanimously—to advise upon the means to be taken in carrying out the obligations of the League (Article 10), or to recommend to the various Governments what military forces each State should furnish in support of action taken by the League. It is evident then that

(5) The small States in particular will, on the outbreak of a conflict, be exposed to great danger owing to the fact that the Covenant of the League seeks to maintain the peace of the world—solely by the obligation to have disputes settled by negotiation and decision—not also by a common indication beforehand and arrangement of the forces to be at its disposal for action by the League

And finally, we have a point of fatal importance, especially to the minor States, in that it can hardly fail to compromise the course and effect of any League action, in the fact that

(6) The Covenant entrusts the ordering of any League action to a Council consisting only of Representatives of some few of the States in the League, and the Council itself is practically paralysed, as regards really effective work, by the fact that its decisions are required to be unanimous.

Without the existence of a common executive authority, representing all the States of the League, and possessing reasonable freedom to pass resolutions, any action of the League must necessarily be slow, and liable to prove futile in the end

The importance of such a central authority is apparent, for instance, from the course of events in the late war. The Allies, despite their actual superiority, did not succeed in bringing the war to a close until they had established a supreme council and placed all their military forces under one supreme command

Having thus realised the number of serious disadvantages attaching to the present Covenant of the League, from the point of view of the smaller nations, we may fittingly proceed to consider whether there is any point

on which the Covenant can be said to have procured unquestionable political advantages for the minor States. All that we find is Article 10, in which it is provided that Members of the League shall under all circumstances guarantee the territorial integrity of all States which are Members of the League (cf. p. 28). This applies, moreover, even in cases of "lawful" war between Members themselves.

But will this provision be of any real value when it comes to the point?

Let us imagine, for instance, that such a war resulted in an indemnity which the defeated party could not pay, and which might, perhaps, be so arranged that it must necessarily be borne by a certain portion of the loser's territory coveted by the victor. It would be only natural then that a separatist movement should arise, in course of time, among those who realised that the only solution of the difficulty was to secede from the parent State, while the latter would ultimately, for its own sake, be constrained to acknowledge the independence of the territory in question. And what is to prevent a further development of the process, whereby the new State, in its own interests, finds itself compelled to enter into some form of union with the victorious party? There is more than one example to be found in history of a similar character to this.

It is possible that the perusal of the present chapter may lead some reader critically to ask, why the Parliaments of the smaller States ever approved the entry of their respective countries into a League of this nature.

The present writer is not concerned with any criticism of this point. It is very possible that the Treaty of Versailles as a whole, and not least its first part, the

Covenant of the League, was, despite all its failings, something approaching the best that could be arrived at on that occasion, all things considered. True, it is beyond question that the minor States of Europe have, as compared with their position before the war, on joining the League of Nations leapt from the frying-pan into the fire, though they may not yet have had occasion directly to feel the sting of it. Nevertheless, the writer entirely agrees with the men who led these States to join the League. They had, presumably, no choice. The States in question could hardly have done otherwise, *inter alia* on account of the degree to which the development of economical life during the past decades has rendered smaller States economically dependent not only on one another, but also, and by no means least, on the Great Powers. This economical dependence is in reality so far-reaching that the smaller States cannot break loose from it without exposing themselves to serious internal difficulties. Consequently, the existence of this position of dependence means that the greater Powers, apart from any provisions in the Covenant of the League, always have in themselves a most effective means of coercing and compelling the smaller States. And this again is enough to ensure a practical hegemony of the Great Powers, apart from the formal sanction and legalisation of that hegemony which the Covenant actually provides.

The foregoing investigation of the position of the smaller States in the League of Nations is thus by no means intended as a criticism of the men responsible for their joining the League. The sole aim in view is to emphasise the vital importance, for the minor Members of the League, of taking timely steps to counteract the evil consequences to which they are

exposed by the faulty organisation of the League. It would hardly be possible to do so by a gradual reformation of the Covenant, since any attempt in this direction must, owing to the form of organisation, be regarded as endless and futile from the start (see first section A On True and False Communities). The real way would seem to be by getting a circle of Members specially concerned, under shelter of the League itself, to form, as a subdivision of the same, a properly constituted and really adequate alliance (the nature of this will be dealt with in a later chapter), which might then in course of time be joined by all remaining Members of the League (cf the development in the case of the United States of North America, *vide infra*).

From the point of view of the smaller States, then, it is a real and important advantage of the present Covenant of the League that it offers not the slightest hindrance to the formation of such an alliance.

## CHAPTER IV

### ON THE IMPORTANCE OF THE LEAGUE OF NATIONS TO THE GREAT POWERS

It is thus comparatively simple to arrive at an estimate of the gain and loss to the smaller States involved by their membership of the League of Nations, and such an estimate can be made for all alike, since the position of one minor State in the League is very much like that of any other. In the case of the Great Powers, on the other hand, the question seems at first more complicated, owing to the essential difference which exists between the position and interests of these Powers. Once we begin to look into the matter, however, it will be found that certain general points of view may be found applicable to all.

We may begin by asking: What does a Great Power lose, what advantage does it agree to resign, on entering the League of Nations? What restrictions are thereby imposed on its freedom of action?

This is best seen by going through the provisions of the Covenant systematically, but as this has already been done to a great extent in the first chapter, with the explanatory remarks to the various Articles, it will suffice for the most part here to refer to the foregoing.

A study of the Covenant shows that with the exception of one—admittedly a very important—point in regard to the settlement of disputes, which will be

dealt with later on, the Covenant can hardly be said to restrict the freedom of action of the Great Powers in any essential degree. This is due to the two facts that all the Great Powers are represented on the Council, which is the leading organ of the League, and that the decisions of the Council are required to be unanimous.

Accordingly, as we have noted, the diplomatic agents of the Great Powers will always find ways and means to prosecute their respective aims, despite the clause requiring registration and publication of all international engagements and treaties.

Further, as shown in Chapter II, any Great Power wishing to further its interests by war will in reality have little more difficulty, and will require hardly any essentially different measures in so doing prior to its membership of the League (For the restriction imposed by Article 10, see pp. 28 and 57.)

Again, it cannot be supposed that the general obligation imposed on all Members to afford, in certain circumstances, full support, including military aid, to other Members could in reality prove binding on any Great Power disinclined to respect it. For in this case, as with all other decisions of the Council, any resolution regarding League action has to be agreed to unanimously so that any dissentient Great Power can, by the exercise of its negative vote, reduce its own participation in such action to nil. But this is not all. The unanimity clause, which is for ever thrusting forth its cloven hoof as a hindrance to the effective action of the Council, affords any Great Power which may so desire every opportunity of preventing any question under discussion from even reaching the stage of contemplated League action against an aggressor. Such aggressor would, of course, before moving in the matter at all,



have procured accurate information as to the position on the Council, and secured to itself at least one ally among its representatives, so that it would be well able to accept the settlement of the question by the Council. For the Power interested in supporting the aggressor, and thus wishing positively to hinder any League action in the matter, can, by its negative vote, prevent the issue of any recommendation by the Council which does not fulfil, entirely or in the main, the wishes of the aggressor.

It is the same—save for the single exception noted—with all the provisions of the Covenant. The requirement as to unanimity in the decisions of the Council really means, that such decisions will in practice never be binding to the Powers represented on the Council unless in accordance with their wish, as long as those Powers are sufficiently independent to take their own line of policy without regard to other Members.

But what then is the one important exception?

This occurs in the only point of any significance in the Covenant where a breach of the unanimity principle is to be found, i.e. in the rules regarding settlement of disputes, where it is provided that a recommendation of the Council shall be carried out in cases where such recommendation is agreed to by all Members there represented, *with the exception of the parties to the dispute*. This makes clear at once the only real disadvantage incurred by any Great Power on joining the League. For in the event of any Great Power finding itself isolated on the Council, without a single devoted adherent among the other representatives, its interests will, just as in the case of States not represented on the Council, be at the mercy of the other Members of the Council as soon as it comes into conflict with any

other State True, a very powerful and influential Great Power would hardly have much difficulty in securing such an adherent In the first place, such a Power might perhaps, in spite of all, be able to exert some influence on the election of non-permanent Members of Council, and further, it would be strange if it could not win over at least one of the other Members of the Council, among the many now included (no fewer than six non-permanent Members) There is, however, always the possibility that a Great Power might find itself in a position of isolation, least, perhaps, in the case of England, owing to the number of other countries economically dependent on it (free trade, coal supplies) and the supremacy of the British Fleet in European waters The possibility of such isolation will, perhaps, be somewhat greater in the case of France, if not during the period immediately following the late war, when all the countries which benefited thereby will have interests in common with France, still perhaps at a later date, when it finds itself compelled to reduce its armaments, while certain other nations which were seriously weakened by the war have somewhat recuperated The risk of isolation is undoubtedly greatest in the case of Italy, and we cannot but consider that this country has hampered its freedom of action to no inconsiderable degree in joining the League, and thereby agreeing to have its disputes with other countries subjected to the judgment of the Council according to the provisions of the Covenant And it is easy to understand that Germany, with the prospect of remaining isolated for some time to come, has shown no inclination to join the League

After this showing of what the Great Powers may be said to have lost by joining the League, the question

arises, what advantages have they gained by so doing ?

It is at once obvious that what the smaller States lose in accepting the obligations of Membership must be entered on the profit side in the Great Powers' account.

Consequently, the Great Powers have undoubtedly gained an increased—and, moreover, legalised—authority over the policy of the minor States through the provisions of the Covenant. And they have further secured their already considerable influence on the smaller States by the fact that their position on the Council enables them to settle for themselves the disputes arising between one small State and another, or between one small State and any Power outside. In addition, they will, in practice, have a voice in determining the armaments of the smaller States, and when political difficulties arise, they will, as a rule, in practice be able, by invoking the Covenant, to persuade any smaller Members positively concerned in such difficulties to increase their armaments (cf p 27, explanatory remarks to Article 8), while at the same time they will be better able to make them bear the brunt of any attack.

It must be borne in mind, however, that all this is naturally subject to the condition that the **Great Powers themselves maintain sufficient agreement in their co-operation on the Council**—at any rate, as regards their relations with the smaller Members whom they are to control, and it is always a question how far this will be the case.

Finally, it may be asked whether the advantages which the Covenant thus secures to the Great Powers are evenly distributed among those Powers. The answer must be in the negative. The stronger and more independent a Great Power is already, the greater

advantage will it derive from the League of Nations, and the greater will be its opportunity of carrying on a policy within the League whereby the largest possible number of Members may be most effectively harnessed to the chariot of its own particular interests. Presumably, then, it will be England that stands to lose least, and gain most, by the whole arrangement, at any rate, in the long run. In course of time, as the tension created by the late war subsides, the advantages to France will probably fall considerably behind those enjoyed by England. Italy has unquestionably least positive gain to look for from the establishment of the League of Nations.

## CHAPTER V

### HISTORICAL EXAMPLES OF CONFEDERATIONS SIMILAR IN CHARACTER TO THE LEAGUE OF NATIONS OF 1919 AND THEIR DEVELOPMENT

THE reader will, in all probability, having reached thus far, already have formed his own view of the League of Nations, the final judgment of its importance and effect should, however, unquestionably be held over until we have considered the experience gained by humanity from the development of similar confederations previously entered into

#### 1

As a first example we may take the **German Confederation of 1815**. The members numbered thirty-seven. The power of acting on behalf of the Confederation was vested in the Assembly, which was differently constituted according to the nature of the questions under discussion. Ordinarily, as the smaller Assembly, it consisted of seventeen representatives (Austria, Prussia, Bavaria, Saxony, Hanover, Wurtemberg, Baden, the two Hessian States, Holstein, Lauenburg, each with one representative, while the remaining States were grouped in sections of six, each with one representative). This Assembly had power to decide on certain questions, but might also, by simple majority, refer them for consideration to the major Assembly, the so-called Plenum,

whose decisions required a two-thirds majority. In the Plenum, Austria, Prussia, Saxony, Bavaria, and Württemberg had each four votes; Baden, Kur-Hessen, the Grand Duchy of Hessen, Holstein, and Lauenburg each three, Brunswick, Mecklenburg-Schwerin, and Nassau two each, all the remaining States one each. The Plenum dealt with all amendments and additions to the constitution of the Confederation, also all concerning "organische Bundeseinrichtungen" and "gemeinnützliche Anordnungen" as well as the rights of individual States (*jura singulorum*) and matters of religion. Decisions on such matters were required to be unanimous before they could take effect.

The aim of the Federation is expressed in the following general undertaking: All Members of the Federation vow to protect Germany as a whole and likewise each individual State against any attack, and further, guarantee one another the possessions each enjoys under the Federation. In the event of war being declared by the Federation as a whole, no single State belonging thereto may enter into negotiations with the enemy or conclude any separate armistice or peace. The Members of the Federation maintain unimpaired their right to enter into any manner of alliance, but undertake not to enter into any such alliance prejudicial to the safety of the Federation or of its individual Members.

Disputes between Members of the Federation were to be reported to the Assembly, and endeavours made to settle the same by an arbitration committee. Where this failed, they were to be referred to the adjustment of a so-called "Austragalinanz."

The League of Nations of 1919 is thus to be regarded as a simple resurrection of the German Federation of

1815 The scope of the latter was, of course, considerably smaller, but on the other hand the development of traffic facilities during recent years has made Europe as a whole hardly bigger in effect than the area embraced by the German Federation at that time. Both the purpose and the form of the governing bodies in the two cases are entirely alike. Both lack a powerful central organ with power to work, decide, and act on behalf of all. As the governing organ we have in each case two assemblies, one smaller, in which only the greater States are directly represented (the Council), and one more comprehensive (the Plenum, the Assembly) whose decisions are as a rule required to be unanimous. In both Covenants there is the same attempt at settling disputes by arbitration and judgment, though the Members have no positive obligation to agree to this. The guarantees provided against intrigues and war between one Member and another are in both cases more or less imaginary.

What tasks did the German Federation of 1815 succeed in carrying out, or what positive results did it attain during the half-century of its existence? It would seem that the Federation passed but a single measure of any real scope and importance in principle, to wit the ill-famed resolutions of 1818 as to common restriction of the freedom of the Press, the establishment of a common commission for the detection of societies with demagogic aims, and common steps for disciplinary control of the universities. And even this agreement was only arrived at after having been first secretly prepared and passed by Austria and Prussia in conjunction with some of the minor States (the Carlsbad Conferences) and then, under pressure from the two Great Powers, laid before the unprepared

Assembly with only four days' notice, which left many of the Members without instruction from their respective Governments.

Further, as regards the importance of the Federation in creating good relations between its Members, we may doubtless assert that internal dissension between the various German States was never more flourishing than under the mantle of the Federation. The various Governments regarded one another with the deepest suspicion. Prussia and Austria (cf England and France in the League of Nations) were engaged in a constant tug of war as to which could obtain most advantage at the other's expense. As early as 1816, the great Prussian statesman, Wilhelm v Humboldt, states his views on the importance of the Federation in the following observations addressed by way of instruction to the Prussian representative on the Council: "In Frankfurt nothing counts but phrases as to German policy; whatever is to be effected from Berlin in the way of national German statesmanship must be done by direct negotiation with the individual States." Bavaria, a Power of considerable standing, with an influential position as a kind of "honest mediator" between the two great Powers (cf Italy in its present relations with England and France), found, according to the frank opinion of Montgelas, its principal task to consist in opposing all endeavours to arrive at the German unity which both Prussia and Austria might be imagined to favour, each with a view to increasing its own power thereby. And in addition, Bavaria was, like all the other separate States, interested in gaining fresh territory and such other advantages as might be possible, by fishing in the troubled waters.

Under these circumstances it is hardly to be wondered



at that the surrender to selfish egoism and the constant hunt for advantage at the expense of other Members which the form of the Federation encouraged should lead to increasing internal dissension, and dispute, these resulted also, in the end, in an open outbreak, and were only settled by the great war in 1866, representing the disruption and final annihilation of the Federation as such

## 2.

The alliance entered into between the North American States was originally, during the period from 1778-89—i.e. during the War of Independence and for a few years after—a very loosely knit arrangement entered into for the common safety. Its affairs were dealt with by an assembly of similar character, and with similar rules, to that of the League of Nations. The form of union employed at once revealed its imperfections in the difficulty encountered in getting the respective States to furnish the requisite contributions of money and man power, and in the frequent lack of any central power with the necessary authority. As the difficulties arising from this nature of the union were even greater, if anything, after the conclusion of peace, and as serious internal dissensions between the States were threatening, it was at last agreed to form a Convention for the purpose of considering an alteration of the constitution, and this was successfully accomplished (*vide infra*)

## 3.

As a final—particularly important and interesting—example of a form of union between States generally

similar to that seen in the League of Nations, may be noted the terms of the Swiss Federation of 1814-15

The opposing elements in the relations between the Swiss cantons were manifold and considerable, and rendered it difficult to arrive at a suitable permanent organisation of the Federation, and as these opposing elements were constantly increasing throughout the life of the Federation, and constitute a characteristic feature of its history, it may be as well to have some preliminary idea as to their nature. A great source of dissension was the existing feeling of independence and self-sufficiency in the separate cantons, as evidenced, for instance, in the categorical demand that even the smallest canton should have the same influence in the Federation as another with perhaps fifteen times its population. Like the national feeling later on, the cantonal feeling was further joined to an egoism which even went to the length of greedy lust for acquiring alien territory. All these features had been fostered by the historical development of the earlier Swiss federation with the various rank and power of its constituent parts. Besides the fully privileged and ruling "Orte" (the eight "alte Orte" were the highest in rank), there were "zugewandte Orte" with greater or lesser privileges (*socii, confederati*), and finally, large tributary districts, mere subject States, which were owned and administered either by single cantons or by several cantons together. An even more deep-rooted cause of dissension was the conflict between democracy and aristocracy. This latter consisted of the patrician families in the capitals of the various cantons, which had formerly always been at the head of the cantonal government, and it is thus easy to understand that the maintenance of the aristocratic power was closely associated with the preservation of

the greatest possible influence for the separate cantons. On the other hand, the democracy was for similar reasons interested in increasing the central power of the Federation. The aristocrats were city patricians, anxious as far as possible to exclude the rural population from any share in the government of the canton, which naturally led, in the long run, to a state of decided opposition between town and country. And finally, religious differences played an increasing part in the history of the Federation.

So great were the difficulties arising from these elements of discord when the canton representatives met in 1814 to endeavour to formulate a form of covenant for the Federation, that it was only the certain prospect of armed intervention on the part of the Great Powers which enabled them to arrive at a result. And despite the fact that the draft as formulated maintained cantonal supremacy in almost every sphere, granting the organ of the confederation only the most limited powers, three whole cantons nevertheless declined to ratify it. The Federal Parliament, however, ignored this, and completed the drafting of the covenant, the representatives of the cantons taking the oath in August 1815. One canton had to be compelled by force.

The terms of the Federation Covenant were as follows.

Twenty-two independent cantons, named not in historical, but in alphabetical order, united for the maintenance of their freedom and independence, for security against aggression from without, and for the preservation of internal peace and order.

The individual cantons, while guaranteeing one another's territories and constitutions, were separately at liberty to enter into engagements with other Governments, not only in matters of economy and police but

also for the hiring out of mercenaries (military capitulation) They were also at liberty to combine in groups for the formation of sub-federations, or "Sonderbunde," as long as these were not prejudicial to the Federation as a whole or to the privileges of other cantons

The organ of federation was the Assembly (Tagsatzung) in which all cantons, great and small, had each one vote It met alternately in Zurich, Berne, and Lucerne, these cantons thus serving by turns for two years at a time as "Vorort," the leading officials of which presided at the assembly and when the latter was not sitting, supervised the functions of the Federation in conjunction with a chancellery consisting of a Chancellor and Secretary The old-established federal right of settling disputes between cantons was revived The covenant did not contain any provision as to the manner in which future revision of the same should take place

Despite the marked emphasis here laid on the independence of the individual cantons, the federal organisation was nevertheless entrusted with no inconsiderable power In the first place, the Federal Government was given certain particularly important diplomatic functions, such as the concluding of alliances and treaties, declaring war, making peace, and appointing envoys to foreign Courts Furthermore, it had the right of determining how the federal army, consisting of levies from the different cantons, should be organised, equipped, and employed It appointed the general in command of the army, the general staff and regimental commanders, and could carry out manœuvres in time of peace with parts of the federal army It had at its disposal certain fixed contributions in money from the cantons, as well as the war chest of the Federation as a

whole, which was formed from common import duties imposed on luxuries from abroad. The Swiss Federal Government was thus far less loosely organised than that of the present League of Nations. Also, the rule for voting in the Swiss Parliament were less unfavourable to the attainment of real results in the proceedings. True, the representatives of the cantons had to vote according to instructions from their respective Governments, but it was only in exceptional cases that the unanimous agreement of all cantons was required to make decisions valid. As a rule, all that was needed was the so-called "Conclusum," i.e. positive approval of the measure from more than half the number of cantons represented (i.e. twelve at least).

In view of the less unfavourable working conditions thus afforded by the Swiss Federation Covenant, it is of particular interest to consider how it worked out in matters of internal and foreign policy.

Firstly, as regards foreign affairs, Switzerland was as long as the Covenant remained in force, in a state of almost constant difficulty, always leading to settlements most humiliating for the country itself. A typical instance is afforded by the serious economical-political difficulties which poured in upon it shortly after the establishment of the Federation, and which we may therefore consider more closely.

After the close of the Napoleonic Wars several of the surrounding countries had recourse to a gradually increasing protectionist policy in order to help their industries and internal economy, which had suffered during the previous years. By far the greatest difficulties were caused by France, upon which country Switzerland had long been seriously dependent in

economic respects France avoided the conclusion of any commercial treaty with the Federation, and not only hindered all Swiss import, but also the old-established transit traffic via French ports. After a vain attempt on the part of certain cantons to obtain trade concessions as a condition of their acceding to the military capitulations sought by France, the French customs tariffs were raised to such an extent as almost to exclude Swiss industry from the French markets. The effect of this, coinciding with a widespread failure of the crops, was indescribable misery in many Swiss cantons. No representations were of any avail, France held firmly to its principles. And as, in course of time, Spain, the Netherlands, and Austria, recognising the weakness of the Federation, applied the barrier system, the position of the Federation grew worse every year. Switzerland was flooded with the industrial products of neighbouring States, and with cheap English manufactures. Owing to the independence of the individual cantons in economical questions, the Federation was unable to carry on any sort of active commercial policy, as the suggestion was always opposed by the agricultural cantons. When, however, France went a step farther, and by imposing an unheard-of tariff sought to hinder even the import of agricultural products from Switzerland, it seemed as if the Federation really would be able at last to carry out effective measures. The hardest-hit of the agricultural cantons even agreed, in their indignation, to raise the duties on French imports. The Assembly placed the matter in the hands of a Committee, which speedily arrived at a decision recommending the formulation of a common federal tariff. The duties proposed, which were, by the way, extremely moderate, were designed on the principle

of fair retaliation, only to affect those States which maintained barriers against the import of Swiss goods. It proved impossible, however, to neutralise the weakening and sundering effect of the existing form of union. Five cantons found it incompatible with their interests to accede to this first attempt at an independent national economic policy, and the unity once broken, others soon fell away. Instead of opposing a firm economic federal front against all surrounding States with adverse tariffs, the country had to be content with a so-called "Concordate" of thirteen and a half cantons directed against a single State, namely France. The result of this disruptive arrangement was a miserable economical confusion, due partly to the tariff war, partly to painful friction between the separate cantons arising out of the extreme difficulties attending traffic and trade from the fact that the cantons not concerned in the tariff war were unfortunately so situated as to divide the tariff belligerents into two sections. The haughty and intriguing French Minister at Berne was therefore able to indulge in all manner of jeers at the expense of the Swiss. "I will rule these people with my baton," or "All that is needed is to set them still further by the ears, and I can easily manage that." Under his influence, Lucerne, Zurich, and Nidwalden first withdrew. Then one canton after another began to have scruples, and finally, in the autumn of 1824, the remaining cantons of the concordate decided, as a sacrifice to the unity of the whole, to relinquish their tariff campaign against France altogether. The effect of the defeat was fatal. Not only did France maintain her tariffs, but in course of time Bavaria, Baden, and Sardinia took up exactly the same line against the helpless Federation. The increasing loss of external

prestige suffered by Switzerland during the tariff war led at the same time to great difficulties in other respects, through the interference of the surrounding Powers, firstly with the Swiss Press, and secondly with the right of harbourage which Switzerland had enjoyed for centuries. The threatening peril of armed intervention forced the Assembly to adopt the "Alien Press Conclusion" which so clearly stamps the independence of the Federation in foreign affairs.

Internally, the history of the Federation is characterised by a long series of disputes and quarrels which increased in violence as long as the Federation existed, and had often to be suppressed by military force.

The most important of these disputes were those between aristocrats and democrats, the latter of which, following on the July Revolution, gained the upper hand in a series of cantons (chiefly those most densely populated), of which seven (the Seibener Konkordat) united in mutual support of their democratic constitutions. In some cantons long and bitter struggles took place, sometimes with armed forces, as, for instance, in Neuenburg (Neuchâtel), which was at once a Prussian Crown land and a Member of the Federation, and in Canton Schwyz, which was divided into two cantons at open war with each other until the Federation Government decided on military intervention. An even more difficult situation arose in Canton Bale, where the strife between town and surrounding country districts flared up again and again, while the weak and inadequate intervention of the Federal Government failed to quell the disturbance. Peace was only arrived at after the definitive division of the canton into Baselland and Baselstadt. All this time the feeling in the Federation was at a state of tension. Six leading



Conservative cantons united in the Sarne Concordate, and everything pointed to general civil war in the Federation, but after the definitive arrangement in Bale and Schwyz a certain degree of order was established, thanks to respect for the comparatively well-organised federal military

It was not long, however, before religious differences added fresh fuel to the still smouldering embers. After the July Revolution the Papacy had announced a more forceful policy on the part of the Catholic Church, while at the same time there was a growing anxiety in Switzerland to have a suitable regulating influence exerted by the State upon Church matters. Characteristically enough, it was not the Federation, but the Cantonal powers, which took the initiative here. A concordate of eight cantons agreed to work for the establishment of a Swiss archbishopric, to some extent independent of the Federation, and for the prosecution of other reforms, calculated to weaken the supremacy of the Catholic Church. In the course of a few years the difference gave rise to violent collisions between the Liberals on the one hand and the Conservative and Ultramontane parties on the other, and in one canton after another the latter succeeded in gaining the upper hand. The result was a series of powerful attempts at revolt on the part of the Liberals, and endeavours were made on the other hand to suppress these by force and severe penalties, until the passions on either side were at boiling-point. At last seven (chiefly smaller) cantons formed a "Sonderbund" for the purpose of opposing the Ultramontane demands by force of arms. In face of all this, the Federal Government had long been altogether powerless, owing to the fact that the Assembly could not secure the

requisite majority among the cantons for a powerful federal intervention. Finally, in the summer of 1847, the Liberal Party secured the necessary majority, by gaining the upper hand in the cantons of Geneva and St. Gall, leaving the way open for the great federal action, the Sonderbund war, which ended in a complete defeat of the seven Ultramontane Conservative cantons. They were forced to amend their constitutions in a liberal direction, and at the same time the fateful covenant of 1814 was finally annulled. In place of this, a Federal Constitution on the lines of the North American system was established, the introduction of which at once relieved Switzerland of all the serious internal and external difficulties which had so long harassed the country (*vide infra*).

## CHAPTER VI

### BRIEF SUMMARY OF THE IMPORTANCE OF THE LEAGUE OF NATIONS

THE one point which more than all else characterises the present League of Nations is the rule requiring unanimity in the decisions of the organs of the League. And strangely enough, this provision is *not* found in the original draft of the Covenant laid before the meeting of the Peace Conference on February 14, 1919, by the Committee appointed with President Wilson at its head. True, Wilson declared that the fulfilment of the requirement as to unanimity had been regarded as a matter of course (General Smuts, however, had suggested a two-thirds majority), but the first section of Article 5, which expressly gives this provision, was only inserted as a result of consideration by representatives of the separate States, to which the proposals of the Committee were submitted before being finally accepted (April 18th).

The League of Nations thus evidently came into the world as the result of a tug-of-war between those wishing to place co-operation, common interest, and the surety of peace between nations above all else and those whose main desire was to ensure the free and independent position of the individual States. The result was a complete and absolute victory for the latter, as evident in the fact that the unanimity principle became the fundamental principle of the League.

But to what extent will the League of Nations thus formed be able to serve its double purpose, as laid down in the introduction to the Covenant, of furthering international co-operation and ensuring international peace?

## 1

It is beyond doubt that the former of these two aims—the furtherance of international co-operation—can be fulfilled as long as the tasks in which it is desired to co-operate lie within neutral fields, that is to say, as long as the solution of the tasks proposed is to the advantage of a number of Members without essentially prejudicing the interest of any other single Member. In excellent agreement with this, the work of the Assembly and the Council may be regarded as an important exercise in practical international co-operation. And some fine results have also here been obtained in humanitarian work, while the League has also aided in removing various political difficulties of not inconsiderable importance. It is to be hoped, then, that all these good endeavours and results may in time so act upon the international atmosphere as to leave ever less frequent occasion for an outbreak of the war-storm which the League, when it came to the point, would be powerless to avert.

## 2.

For the position of the League in regard to the task of ensuring peace is very different from that in regard to the mere furtherance of international co-operation. From the form of its organisation, the present League of Nations is a typical "false community," the functional power of which is subject to all those disabilities

which have been noted in the introductory section (A On True and False Communities, p 13) ✓The League's form of organisation as such will therefore in itself present a decisive hindrance to active interference on its part for the preservation of peace in all cases of dispute where the interests of the more powerful Members are really at variance, and these are the only cases in which there is any real danger of war. ✓In addition, however, the Covenant itself expressly recognises war as a means to which Members may resort for settlement of their disputes, and does not prevent the Members from entering upon diplomatic intrigues with and against one another. And finally, the League does not itself possess any diplomatic corps, nor has it anything like an assured military or economical force wherewith to assert its authority

This view, that the present League of Nations will, in cases of real difficulty, be of no practical importance as a means of preserving peace, is fully supported, as we have seen, by the history of similar coalitions in earlier times. The German and Swiss Federations were founded a century ago with similar aims and as a compromise between precisely similar factors to those in conflict when the present League was founded in 1919, but the compromise arrived at in the German Federation was somewhat, and in the Swiss considerably, more favourable to the common interest of Members than in the present League, yet even these led in both cases to results about as bad as could be imagined.

### 3.

✓Under these circumstances, the possible future importance of the League of Nations as a factor for

the ensuring of peace will depend entirely on how far it is possible to extend and alter its present form of organisation in a suitable manner. But the question as to how these necessary alterations in its organisation are to be effected cannot be satisfactorily dealt with until we are clear on the point as to what the alteration aims at. We should, then, first ascertain the proper form for an international organisation capable of ensuring peace for its Members. This question is considered in the following section.

## C A LEAGUE OF NATIONS ENSURING CO-OPERATION, PEACE, AND UNION AMONG ITS MEMBERS

IN the following we shall consider (I) the two fundamental requirements of such a League, thereafter, (II) its form and constitution will be further set out. We shall then test the assertion that (III) a League of this character really provides an effective guarantee of peace, (IV) without any actual interference with the national life and relative independence of its Member States. In addition, we shall offer some observations on the importance of the proposed League for (V) smaller States, and (VI) the Great Powers. And further, we shall see (VII) what is to be learned from history with regard to the progress and effect of this form for union. Finally, (VIII) summary observations on the importance of an Europa Communis and the present need for its establishment.

## CHAPTER I

### TWO FUNDAMENTAL, APPARENTLY CONTRADICTIONARY, REQUIREMENTS OF SUCH A LEAGUE, WITH THE FORMULA FOR THEIR RECONCILIATION AND FUL- FILMENT

No attempt should be made to state the form and constitution of an ideally effective League of Nations without first realising that its constitution must fulfil two definite and apparently irreconcilable requirements if it is to gain support and act in accordance with its purpose.

#### 1

In order to illustrate the purport of the first requirement we can conveniently begin by considering what means were employed in former times for ensuring peace *within* the State communities themselves. For since human beings are always human beings, it is highly probable that the same methods may prove effective in securing peace *between* such State communities

Not many centuries ago, castles, towns, farms, and caravans of merchants as well as single individuals were all armed, and made war on one another on the slightest pretence. In those days, it was undoubtedly the organisation of the community which ensured peace. But how? Three main principles were brought into operation



(1) First and foremost, a common military and police force was established, sufficiently equipped to protect the community as a whole against hostilities from without, and to hold all internal disturbances in check. This military and police force was in the hands of a common leader, armed with the greatest possible authority (generally, a despotic monarch)

(2) Then, definite laws and rules were formulated, and courts provided for settlement of disputes

(3) And finally, all private institutions, corporations, and individual citizens were forbidden to carry arms

We see, then, that the Assembly of the League of Nations meeting at Geneva in September 1924 was only following established tradition in proclaiming arbitration, security and reduction of armaments as the means of ensuring international peace

But was it right after all to set up these three principles side by side as if they were of equal importance one with another?

In answering this question, readers are requested to consider, each for his own country, what would be the result if all the armed police force of the community were removed, the force that stands behind the courts of law and ensures the maintenance of law and order and the execution of sentence. Would not the prevailing security of the present social order very speedily turn to its exact opposite? And let us hark back to the time when castles and towns and merchants and mercenaries, even individual citizens, were armed and on their guard against one another. Would it have been possible then to introduce without preamble a voluntary system of gradual reduction or abolition of armaments? No! It is quite certain that disarmament was only rendered possible by the creation of a

strong common central force, better able to prevent violence from without or from within than private armament could do

If, then, we are to make due allowance for human frailty and fundamental human qualities, and if the means to peace is to be expressed, not in one word, but, as the Assembly did, in three words, then these three words can only be security—security and again security. And this can only be brought about by a powerful common League military and police force, under adequate leadership, able to protect the interests of all Members against aggression from without, to prevent any act of aggression from within, and enforce and support legal decisions and disarmament

This was the case in former times, when war within a community was to be abolished, and it will also be so now, when it is a question of abolishing war between civilised societies. As long as there exists no properly guaranteed condition of international security, no State whose strength and resources permit of effective defence can, however great the advance of civilisation, lay down its armament save at the risk of its life and existence. And this risk will be even greater during the period following a war. For every war, especially one of such dimensions as the recent world war, involves a powerful growth of all the old hatred and deep-rooted suspicion left by previous wars in the souls of the people. War begets war, and craves an enhanced care for the avoidance of further wars. No reasonable intelligence could therefore doubt but that the victors in the late war must from the outset find their crown of victory set with the thorns of possible vengeance. After this, as after all other wars, it must be one of the conqueror's first tasks to secure himself as far as possible against

reprisals There are two opposite ways of attempting this either by endeavouring to establish good relations for the future with the late opponents, through the medium of a generous peace treaty, or by safeguarding one's own position through the medium of constant oppression, suitable mutilation, or even annihilation, of the defeated party It must be admitted, however, that human nature as it is generally involves, to say the least, a high degree of uncertainty as to the results of a generous policy, a fact which is sufficiently proved by history The only cases where it can be employed without too great risk are those where the party in question is sufficiently superior in strength (e.g. Cæsar in Gaul) or occupying a position difficult to attack (e.g. England in relation to Continental States). But in cases where fortunate chance has permitted the weaker party to vanquish a superior opponent, the victor is in reality unable to adopt such a policy, unless covered by some absolutely effective guarantee for peace Where this cannot be done, the instinct of self-preservation forces the victor to seek the permanent disablement of his dangerous opponent France, after the late war, was undoubtedly in such a position, having vanquished an opponent which—after the collapse of Russia—would in reality have been far stronger than itself as soon as the effects of the blockade were counteracted At the Treaty of Versailles, then, France must have realised that not even the promised alliance with two Great Powers (England and the United States), which after all were separated from it by sea, afforded sufficient security for it to risk the very dangerous experiment of trying a policy of generosity towards the “unconquered” but sorely humiliated Germany And when the promise of alliance in the Treaty of Ver-

sailles was not fulfilled by the two Great Powers in question, it was at once obvious that France, victorious but still not very strong, would be forced—by the principle of primitive egoism as adopted by all States—to seek as far as possible to keep its terrible opponent constantly under its heel

It is sadly evident, then, that France and Germany, after the late war, and consequently all other European States, will be more than ever compelled to toil on for long years to come under the yoke of primitive egoism as a policy, dragging round in a vicious circle, unless the yoke in question be broken by so reforming the League of Nations as to provide a real security against war, including thereunder effective guarantees against German reprisals, without which France dare not loose its grip on Germany's throat

It is obvious, then, that the first and most fundamental requirement of a League of Nations is that of really effective security against war—military or economical—between its Members

On this point there is no possibility of denial. For it is only under the condition of absolutely effective security that any Government can be justified in principle in relinquishing those precautionary measures which are otherwise regarded as necessary and desirable to guard against war

## 2.

A second fundamental requirement for a properly constituted League is that it shall not hinder the free national development of the participating peoples, or the full and independent growth of their political life. The importance of finding the right form in this respect is evident from the fact that it is on this very point

that all difficulties converge the moment thoughts and plans for a League with the object in view are to be carried into execution

### 3.

But how are we to fulfil two conditions, apparently so incompatible one with the other as that of effective security against internal war on the one hand and the maintenance of national political life unhindered on the other?

Further consideration, however, reveals the fortunate and highly interesting fact that a federation of States which, in order to ensure peace among themselves and with other States, establishes a common military and police force, properly led and administered on the principle of the "true community," will, by the very application of this form of organisation, also provide the best surety that participants will be able to live their national life unhindered in the future, since every Member of the organisation will be free from any threat of violence on the part of other participant States. It will here suffice to note the following. The whole question as to how the establishment of a Europa Communis would affect the free national development of the individual peoples of Europe will be subjected to closer consideration in the following (Chapter IV). Before passing to this, however, it will be as well to explain further the content and form of the League (Chapter II), and its value as a means of ensuring peace (Chapter III)

## CHAPTER II

### FURTHER 'OBSERVATIONS ON THE FORM AND CONSTITUTION OF A LEAGUE OF NATIONS EFFECTIVELY ENSURING PEACE

IN accordance with the foregoing, then, the constitution of the League will be briefly as follows .

(a) Every individual State which becomes a Member of the League relinquishes its particular system of defence, handing over the same to a common League system, the officers and the supreme command being drawn from the League as a whole

(b) But it is impossible, in a League ensuring peace, to allow individual States to carry on diplomatic politics with or against one another, and still less with other States outside the League For if this were allowed, a single Member of the League might bring about a war involving the League as a whole Consequently, the foreign policy of individual States must be restricted to the sphere of commercial affairs (retaining Consulates), and it will be necessary to establish a League Foreign Department, common for all the States enrolled

(c) Further, it is for many reasons desirable or even necessary that States wishing to ensure peace among themselves and to act together in war should also maintain tariff unity in regard to other States, abolishing entirely or in part such tariff barriers as already exist between themselves.

We have here the three great principles in the constitution of the League, but since "money," is one of the most important items in war material, and as a common currency would greatly further the economical co-operation between the States concerned, the higher administration of financial matters should likewise be made a question for League control, whereby

(d) Individual Members abolish their particular coinage systems, and a common coinage system is introduced for all

Finally, traffic and transport facilities being of the highest importance in war,

(e) Means of transport, posts, and telegraphs must be partially under the common administration

With regard to the form of the League, this would require to be, as indicated in the foregoing chapter, on the lines of a true community (cf Section A) The entire arrangement would then be based on the establishment of a common government (common Parliament, etc.), in which the various nations would be represented according to their size and importance in the League, and which would, in questions entrusted to its charge, have power to decide and act on behalf of all.

We see, then, that the establishment of such an effectively peace-ensuring League in the case of Europe, for instance, would be equivalent to the formation of the "United States of Europe," or the "Anglo-European Confederate State," or "Europa Communis."

We may now proceed to examine more closely the general importance and effect of such a League as regards the intercourse between the States belonging thereto

## 1

The individual State surrenders all its war material—both officers and armament—to the League Government, entrusting its whole system of defence to the same. It would be hard to imagine a more effective means of preventing war between Members. It also provides the best method of ensuring that the burden of armaments, now so heavy, can, as the general security increases, gradually be reduced to a minimum.

And finally, it ensures the placing of such military force as the League may consider necessary under one supreme command, a necessary condition if it is to fulfil its purpose of acting with the requisite promptness, power, and accuracy. The rank and file of the armies could be trained in their respective countries under the national colours, but the officers' corps should be a common institution, its members being appointed and promoted by the League Government, and liable to serve under its orders anywhere within the territories of the League. It should, however, of course, be provided that a reasonable degree of uniformity in language exist between officers and the units they command. In accordance with this, the training of officers should be distributed among colleges in several different countries, so that each officer would be master of several languages. All war material would be the common property of the League, and any fortifications would be undertaken according to a common plan and at the common expense.

The individual State should be at liberty to retain at its disposal entirely under all circumstances a certain portion of the military force raised within its boundaries, to be used for police purposes, also, individual States



should have power to dispose in their discretion of all League war material found within their respective territories, as long as it is done at their own costs and without hindrance to orders or arrangements laid down by the League

## 2

The Foreign Department of the League would then comprise all matters hitherto dealt with by embassies and legations, i.e. diplomatic affairs and matters of international law, including, of course, all questions relative to war and peace

The entire measure is, besides being justifiable in itself, also a natural consequence of the common system of defence. It is also quite in harmony with the abolition of tariff barriers between the Member States. But while all this arrangement naturally does away with the need, or even with the possibility, of maintaining, the foreign departments of the individual Members as far as concerns the matters indicated, the maintenance of the respective Consular Services, dealing with commercial questions, need not presumably be at variance with the principles of the proposed arrangement. Naturally, however, such matters, in case of their developing into questions of diplomatic-political importance, would thereby pass to the consideration of the corresponding department of the League

It is at once evident that the abolition of independent activity in foreign affairs among the separate States, with the withdrawal of their diplomatic representatives (embassies, legations and agents, etc.), would in itself remove an important incentive to war. The reader will, of course, be prepared at once to object that it would be a matter of the greatest difficulty to persuade Powers

such as England, France, and Germany to take such a step, and this may be true enough. But it must nevertheless be borne in mind that it is just the danger and risk attending the policy of primitive egoism which has hitherto occasioned the need of all these various diplomatic representatives.

## 3

Customs barriers and economical barriers between the Member States are then partly or entirely abolished, these States presenting a common tariff point toward all others.

The moment this was effected, a further highly important—perhaps the most important—source of peril of war between the States thus allied would disappear. In addition, however, this measure would altogether prove a relief to the economical life of the League as a whole. For with the removal of such barriers, we should get rid of a number of very considerable hindrances and difficulties which may at any time and place be unexpectedly imposed upon all exporting industries of any State by other States. Unquestionably, such an abolition of customs barriers between States could in the long run only prove advantageous, both for the industries themselves and for the consumers in the united States themselves. No opposition is offered from without to any initiative. The specialisation of industrial undertakings could be carried farther than hitherto, and the various specialities would develop first and foremost in those places where natural conditions were most favourable. All these things combine to create a better and cheaper production of high quality goods. And in the case of goods suitable for

mass production, the manufacture of these could, in view of the large and safe market available, be carried on to a greater extent than hitherto, with more comprehensive organisation, resulting in a cheaper product

Naturally, the transition to complete or partial free trade between the States of Europe could not be effected without some difficulty to individual trades and branches of industry during the period of transition itself, and measures to meet these difficulties should be carried out as far as possible—even, perhaps, to the extent of allowing individual States to protect their own agriculture and impose a fiscal tariff on certain commodities. Tariff boundaries should, on the other hand, doubtless be abolished for all other industrial products. Such an arrangement would be supported by the fact that it is of all tariff items, more particularly—in practice perhaps even exclusively—industrial tariffs which count as causes of war. It would also be most natural that States which might have to make war in common should also have a common industry, since industry is of so great importance to the conduct of war

## 4

As, moreover, the financing of a war means so much to the progress of operations, this alone should be sufficient reason for providing that individual Members of the League should abolish their particular systems of currency, and a common currency be introduced for the League as a whole. Such a step is, indeed, a consequence, as natural as it is practically convenient, of the community in other economical respects. True, it would be attended with particular difficulty at a time when the gold standard has been superseded almost

everywhere and the conditions of exchange render the currency of the various countries so widely different in value. On the other hand, the innumerable difficulties resulting from this last state of things in all business transactions provide the clearest evidence of how important the introduction of a common coinage would really be in securing stable conditions.

## 5

Finally, the question of traffic and transport is of such importance in any war that it should be **partially under common administration**. This undoubtedly applies to lines of strategical importance, but it would also, for practical reasons, be desirable that the League Government should take over the administration and working of certain transport, post and telegraph lines of decisive international importance. As an instance of such, in Scandinavia we may mention the natural line of communication for Western Europe—still to a great extent unused—between Norway and Sweden via Denmark, viz. Hamburg—Femern—Lolland—Copenhagen, and so on to Christiania and Stockholm respectively. But apart from such particular lines, each State should naturally retain the administration and development of its own railway system, and its postal system, in its own hands.

In conclusion, as regards the form of the League Government, this should naturally be based on the fairest possible principle of community. Each people must have a degree of influence within the League answering to its size and importance to the League, and the League Government must, in all spheres of work entrusted to its charge, have full authority to decide and act on behalf of all.

As with most European States, the Government of the League would probably have to consist of (1) an Assembly, sharing the legislative power with (2) a Supreme Council, which would, in addition to its legislative qualifications, also have executive power. And finally, there must also be (3) League courts of justice with power of jurisdiction.

As regards the Assembly, this might perhaps suitably be composed of delegates chosen by proportional election by the parliaments of the different States, e.g. one delegate for every half-million inhabitants. An addition to the number of delegates might be made in the case of States with a high level of general culture, possessing great wealth or sources of wealth, important colonies, etc., but the number of such additional delegates would then have to be subject to periodical revision.

The Supreme Council might be composed on somewhat similar principles to the present Council of the League of Nations, with this difference, however, that the heads of States themselves would sit in the new Supreme Council. The rulers of the Great Powers would then be permanent members of the Supreme Council, those of the smaller States being members periodically. A chancellor elected by the Assembly could act as responsible secretary and representative of the Supreme Council.

One of the heads of States in the Supreme Council could, as might be arranged, preside at the meetings, and thus act as emperor or president of the League as a whole.

The participation of the Supreme Council in legislative work might consist in the exercise of a sanctioning authority, with suitable right of veto, which might under certain circumstances be absolute.

The administrative governing activity of the Supreme

Council would naturally in the main be exercised through the medium of a League ministry, responsible to the Assembly

It would probably be advisable to have some provision whereby any Member of the League might withdraw from the same on giving suitable notice (e g. two years), as in the present League of Nations

By way of commencement, we might imagine the League in question as comprising the States of Europe, with their colonies and with the self-governing colonies attached to these States

## CHAPTER III

### EFFECTIVENESS OF THE LEAGUE AS A GUARANTEE OF PEACE

Necessary conditions to the outbreak of war are the following four main points (1) The existence of a *casus belli*, (2) of the requisite war material, (3) conclusion of diplomatic arrangements to that end, and (4) the preparation of public opinion in favour of the war

Properly speaking, the question as to effectiveness of the League as a guarantee of peace falls under two heads, viz how far it precludes the possibility of war between its Members, and how far it ensures them against war from without.

#### (a) PREVENTION OF WAR BETWEEN MEMBERS

##### 1.

As examples of causes leading to war may be noted economical difficulties, circumstances endangering a country's interests—e.g. economical (colonial) or anything threatening the position of the country in general, or the mere apprehension of being surpassed by other peoples in respect of power

On considering the degree to which these various causes of war could be fostered under the ægis of the League as already sketched out, it is pleasantly sur-

prising to find how it manages positively to eliminate all of them

Firstly, as regards industrial life, the League would abolish all such difficulties here as arise from the industrial policy of other States, questions of exchange, etc., while at the same time the Governments of the various States would be relieved of certain demands in the direction of State protection (by tariff measures, or diplomatic or even military intervention) of suffering industries—demands which it may at times be very difficult to resist. Naturally, even with the arrangement proposed in the League, there might always be difficulties for one or another industry, and disagreements between them in the various countries, but these would then have to be settled without State intervention, either by free competition, where such form of settlement might be necessary, or by arrangements between the parties where such were advisable, all in such a manner that the life and welfare of innocent people need no longer be imperilled by war on the mere ground of industrial disputes.

With regard to circumstances threatening the interests of a country, much the same applies. The establishment of a League State would at once alter the whole spirit at present governing relations between the different countries. All possibility of aggression, of whatever kind, on the part of individual States, is barred. No one State can exercise compulsion on another. Should compulsory measures prove necessary in any case, they would be carried out by the Government of the League. Each State would occupy a position in the League corresponding to the skill and industry, the culture and wealth of its inhabitants. There would be no question of one gaining the upper hand



by force The relations between States in the League would be equivalent to that which exists between citizens of a modern civilised country. The ever wakeful suspicion of one towards another, which is a necessary result of the armaments individually maintained by States at present, would give place to a feeling of confidence and security when the armaments were laid aside, and only the central authority, the League Government, possessed any military force

That the establishment of such a League would do away with all perils threatening the interests of individual countries, and thereby obviate the necessity of guarding against such perils, is further confirmed by consideration of some of the international questions at present in the foreground, and most disturbing the minds of the peoples concerned Under the League arrangement, all such questions would be reduced to insignificance or entirely disappear

It would take too long to go through any great number of such international questions in support of our assertion It will suffice to examine a few

Take first of all the Bosphorus-Dardanelles question, which was under consideration for several years After the late war, the question became ever more complicated. English diplomacy began by taking up the position that the League of Nations should exercise a kind of suzerainty over the Straits, a view presumably dictated to a great extent by the maritime supremacy of England within the League Obviously, however, France was obliged to oppose any such arrangement, since English hegemony in that quarter might under certain circumstances offer serious obstacles to French interests The result of this conflict of interests was the Græco-Turkish war in Asia Minor, the defeat of Greece, and

an enormous waste of human life, energy and material and cultural values. After the establishment of the Europa Communis, however, the Bosphorus-Dardanelles question could never arise again. All European nations would under all circumstances have equal right to the Straits. No warships, or even police vessels, save those of the League, would ever use the Straits. The French would have adequate guarantees against the establishment of any English hegemony there, and the English would have no occasion to fear the barring of their passage at a critical moment to the detriment of English interests, for the simple reason that England's interests would have been fused to a higher unity with those of France, Italy, and all other European States. The security afforded by the League organisation in this question would be of far wider scope than the best that can be arrived at under the present system, by means of treaties and diplomatic action generally.

And then the Ruhr question, in which the Franco-German dispute was at its keenest. In our Europa Communis, no such question could arise at all, and with the establishment of such a State the best way to settlement of the difficulty would at once be open. From the nature of the case, then, the question as to whether the Ruhr district is to be administered by Germany or be independent loses its vital importance, not only to France and Belgium, but even to Germany itself.

The most important of all existing European complications at the moment, the question of reparations, would be similarly solved. The establishment of this Europa Communis would give France full security against any war of vengeance on the part of Germany, and it would no longer be necessary to make such

strenuous efforts to prevent Germany from regaining its former power. The main obstacle to a reasonable settlement of the reparations question would thus be disposed of.

Indeed, the longer and more closely we consider the various possible conclusions of the existing Franco-German difficulties, the surer becomes the conviction that nothing save the establishment of some kind of political community between the two peoples can prevent the ultimate destruction of one or both parties. Such an arrangement could, however, undoubtedly best and soonest be arrived at as an item in the formation of a European Union of States of the widest possible extent.

## 2

Imagining, for the sake of argument, that a movement should arise in one or more of the League States, aiming at or likely to lead to war, in spite of the fact that the establishment of the League would have eliminated all the principal causes of war between its Members, it is obvious that any such outbreak would be enormously hindered by the fact that the individual nations no longer possessed the means and material to institute and prosecute such a war, and had placed their administration in the hands of the League. True, each nation would still have its rank and file, and possibly some proportion of the officers among its nationals might be won over to break their allegiance to the League, but how would it be possible to procure the whole heterogeneous mass of war material required, organise transport and reorganise numerous industries on the scale required for modern warfare? How create the whole economical apparatus, or even procure supplies of food-stuffs? All this would always have to be arranged

beforehand, and how could it be done in secret? And finally, how could any insurgent State resist, or even contemplate resistance to, the whole organised force of the League, which would from the first have control over all the war material which the local movement lacked, and would immediately take action on the first threat of any disturbance?

## 3

With the present ordering of the Foreign Department of most countries there is always the possibility of a whole nation being pitchforked into war by the action of the few that control or carry out its diplomatic arrangements. In this way an aggressive Power can, when contemplating war, secure to itself beforehand the support of one or another nation and the neutrality of others. In course of time diplomacy has become more and more important as a factor in the preparation of war. We may, indeed, reasonably ask how many of the greater wars of modern times would ever have broken out at all if they had not been prepared beforehand by diplomatic action.

The abolition of individual State diplomacy would therefore only serve to further the cause of general peace.

If, then, the representatives of any nation in the proposed League should wish to gain the support of another with a view to war against other Members or against the League itself, the methods of diplomacy would no longer be open to such endeavours. There would then be no other way but that of creating a State of public opinion favourable to war. This would be practically impossible in a League which had not only removed all the chief causes of war and done away with diplo-

matic intrigues, but also taken over all the material for waging war, at the same time securing to itself the means, power and authority to suppress any attempt at war and insurrection

Surely, then, there can be no doubt as to the full effectiveness of the proposed League as a guarantee against war between the nations of which it is composed

#### (b) SECURITY AGAINST WAR FROM WITHOUT

The greater the number of Members, the greater the extent of a League of the type suggested, the harder would it be for any outside State to attack it. For any act of aggression against such an organisation would be an extremely risky proceeding. It would be impossible to count on any dissension within the League itself. On the contrary, an attack from without always makes for increased unity within. It affects the interests of all, because each Member is represented in the general governing body. And the governing body of the League constitutes a unity unhampered by side issues and able to act freely and with full power.

There remains, then, only the question as to how far such a great and powerful organisation might itself become the aggressor, and there would, of course, always be the possibility of imperialistic tendencies occasionally gaining the upper hand even in Europa Communis (e.g. on the basis of conflicting interest against races other than the white). But it cannot be denied that the whole spirit which is an essential factor not only in the formation of such a League, but must also necessarily inspire the nations combining therein, would to no small extent be opposed to the development of such tendencies.

The question then is

## CHAPTER IV

### HOW WOULD THE ESTABLISHMENT OF A EUROPA COMMUNIS AFFECT THE FREE NATIONAL DEVELOPMENT OF INDIVIDUAL EUROPEAN NATIONS ?

Most people will perhaps at first be inclined to think that in order to secure the many advantages offered by the establishment of a European confederation it would be necessary at least to sacrifice something in the direction of free national development, assuming without further consideration that national liberty must be restricted in proportion to the degree of international dependence

This view is, however, altogether erroneous. Actually, such a confederation offers, in addition to its many advantages already noted, the further gain that it offers the best imaginable conditions of existence in national respects to its Member States. No other form of co-operation or confederation, no other form of existence, indeed, gives to the individual nation such an opportunity of freely developing its national life secure from aggression on the part of other nations. It may be safely asserted that Europe as a confederation would afford the safest possible ground for all European nations and the finest site for the development of all national forces. There is, indeed, only one restriction imposed on the freedom of its nationalities, an important one, it is true, viz that the confederate States renounce

the right of advancing national interests by force, this renunciation being emphatically and effectively sealed by the surrender of all means for the exercise of political violence. This last attribute of the confederation arrangement, altogether precluding the exercise of political force between one nationality and another, will be greeted with acclamation by the great majority of the population in all civilised countries, and viewed with ill-will by the extreme nationalists of the various countries, who prefer to advance their respective national interests by force as far as they are able.

But how can we prove that the proposed confederation really provides an optimum in the conditions of national existence?

We may here begin by putting the following three questions (1) What does each nation gain and (2) what does it lose by joining the confederation? and (3) to what extent may the establishment of such a confederation as a power in itself be considered likely to affect national questions?

(1) What the individual State gains has already been noted, in the free development of its powers throughout the whole area of the confederation by peaceable co-operation and competition with other nations, always with the certainty of being secure against political violence or political barriers of any kind

(2) The loss to individual nationalities on joining the confederation may be arrived at by considering what concessions it makes to the central confederate power. The most important are the relinquishing of its independent foreign policy, system of defence, and tariff system, i.e. the very things which constitute the means of exercising or resisting political violence. For

there is no other national importance attaching to these functions. They count for no more in the national life of a people than does the right to wear a sword, or carry a revolver, to the life of a highly developed human personality. As soon as law and order are established, these attributes and accessories are only too willingly laid aside, without the least detriment to nationality or personality. Only too willingly, for every nationality and every personality will, when all relinquish them, undoubtedly have greater liberty to develop their true power and individuality. It seems also hard to realise what importance, say, Danish, Norwegian, or German diplomacy as such could have for the national life of their respective countries. Or what harm would it do to, say, French and Swedish nationality, if French and Swedish soldiers, under French and Swedish colours respectively, and led by French- and Swedish-speaking non-commissioned officers, were to take part in manœuvres or even go to war under the command of officers of the confederation who might, indeed, to a great extent be French or Swedish themselves? Again, has the free development of the English national character ever suffered from the fact that England has for generations maintained a free-trade policy and refrained from tariff politics? Or would German, Danish, and Swedish nationality respectively be prejudiced by placing the railway line or air mail route Cologne-Hamburg-Lubeck-Lolland-Falster-Copenhagen-Malmö-Stockholm under the administration of this European confederation?

We may, then, safely assert that no individual nation in the European confederation would suffer any national loss by making the above-mentioned concessions to the confederation as a whole, since the latter would afford



an absolutely certain guarantee for its protection against political violence from all the other nations

(3) But the confederation government itself, might it not be imagined that this organisation could adopt an attitude specially favouring, or specially prejudicial to, one or more of the nations comprised?

In considering this question it must be borne in mind that national oppression takes place when one nation seeks either to enforce some service on the part of another or to transform it, set its mark upon it, and make it a part of itself. In other words, the aim is either to enslave or to swallow up another nation. And here, in the first place, as regards services and contributions necessary to the confederation, how could the confederation government itself make particular demands of this sort upon individual nations without a gross breach of its own constitution, which is based on the principle that every member shall contribute to the common cause in proportion to its importance in the same, and enjoy representative influence corresponding therewith? How could there ever arise a majority in favour of such a breach of the constitution in an assembly constituted as already noted? Again, as regards any attempt on the part of a nation to swallow up another, this may be set aside as impossible from the outside, since there could never, in a European confederation, be any single nation even approximately powerful enough to win over the government of the confederation for such a purpose. And then again, what could ever be gained by such a policy, even if successful? In former days it would have meant augmented political power to gain advantages over other nations again, but in a confederation, where the exercise of political violence is barred within its own

boundaries, and neither military nor economical war can be waged, the whole enormous effort required to absorb another nation would be futile in the end, serving no real interest whatever

The question as to conditions of existence for individual nations in such a confederation can also be investigated by studying the experience humanity has gained from the effect of various forms of union between nations

And this experience shows that in all cases where one people sought to gain hegemony over another the looser forms of union were employed, as in treaties, alliances or confederations of States requiring the assent of all members or a majority to all decisions. For all such forms of union render the weaker party dependent on the stronger, inasmuch as the latter will in reality determine the policy which must sooner or later bind both parties. The history of the human race from ancient times until the late war is equivalent to the description of one long series of such unions, entered into under varying degrees of compulsion from the stronger part, e.g. Athens and Sparta in relation to the other Greek States, Rome and its allies, Napoleon and his allies, and finally Germany and its allies in the late war. Typical indeed in this respect is the form for union and co-operation which this last-named country dictated to the peoples on its eastern frontier in the Treaty of Brest-Litovsk. All circumstances combine to render it advisable for the weaker part to accede to the wishes of the stronger in the matter of alliance, and as long as the stronger part is strong enough, the co-operation will practically amount to a hegemony of the stronger, with all manner of dangers and difficulties for the weaker nationalities. But if the stronger

part be not strong enough to make the hegemony a matter of course, the inconveniences of the arrangement will lead to one of two results (1) as a rule the weaker part rejects all proposals for co-operation, or even endeavours to make an end of all relations. But the difficulties of the position may, in certain cases, produce an entirely opposite result, by (2) arousing the demand for application of the principle of community in a form of co-operation such as, for instance, that which was peaceably and happily concluded among the Free States of North America a few years after their establishment as such. As an instance of an attempt on the part of the weaker and oppressed to carry out the principle of community even by force may be noted the war of the allies in the history of Rome

As a contrast to all the looser and less intimate forms of union, which can only exist with hegemony of the stronger part, we have the type of federation here proposed, which accepts in its entirety the principle of just and equitable community, giving all the federated States, large or small, precisely identical political conditions for their existence. Each party contributes to and influences the general co-operation to a degree answering to its importance in the whole, while at the same time individual participants retain complete political autonomy in all spheres of any real importance to their national life

Consequently, everything favours, and nothing contradicts, the view that this form of union offers the nationalities which join it an optimum of the necessary conditions for their existence

## CHAPTER V

### THE VALUE OF A EUROPA COMMUNIS TO THE MINOR EUROPEAN STATES

A GENERAL view of the position of the minor States in a European federation is best obtained by comparing it with their position in the present League of Nations, as shown above under the various heads (pp 52-57).

#### I

The political position of the minor States in the present League of Nations was here characterised by the following summary in two points (a) The greater States which are Members of the League are not prevented from carrying on a policy in opposition to one another's interest, a feature which would highly favour the outbreak of conflicts leading to war, in which the minor States whose interests are concerned would necessarily be involved (b) The minor States which are Members of the League will find themselves in practice politically impotent, without any influence in the political intrigues for war or peace which may be carried on by the Greater Powers, and which would be of vital importance to their whole existence and welfare They are thus even debarred from pursuing a policy of "lying low" and remaining neutral, which they were at least able to do prior to their joining the League

They are forced, whether they will or not, to enter the political whirlpools arising from the conflict of interests between the Greater Powers

A very different position would be theirs in the proposed Europa Communis. On entering this union, the Great Powers would definitely have cut themselves off from political intrigues one against another. Large and smaller States would all pursue a common policy tending to the common good, as expressed by the Federation Government in which each State would be represented in the Assembly, which not only lays down the lines of the policy to be pursued by the entire Federation, but also determines in whose hands the ordering of this policy shall be placed. Each individual minor State thus obtains a certain degree of positive influence on all European policy. We could then, from the observations set forth in the foregoing (p 98), as to the constitution of the Federal Assembly, endeavour to sketch the extent of this influence for certain countries, as it would appear from their representation in the Assembly, according to the table on p 115

Nowadays, when everyone has realised the importance of small minorities in an assembly of any kind, having divided opinions, it will be at once apparent that even the smallest State would have some positive influence in the Assembly of a European Federation

2

In the event of any serious political conflict arising between a minor State and an influential Great Power, the interests of the former may, in the present League of Nations, be regarded as lost from the start, owing to the fact that the organs of the League for settlement of disputes are so arranged as to be forced in such

Country	Representation by Population	Representation, Additional	Estimated in Sevenths of Representation by Population	Total Representation
Belgium	14	8	Culture 1, colonies 2, natural resources, 1	22
Denmark	7	3	Culture 1, situation 1, relative wealth 1	10
Finland	7	1	Culture 1	8
France	84	72	Culture 1, colonies 2, natural resources 1, present power 2	156
Germany	110	16	Culture 1	126
Great Britain <sup>1</sup>	84	96	Culture 1, colonies 3, natural resources 1, relative wealth 1, present power 2	180
Holland	14	10	Culture 1, colonies 3, relative wealth 1	24
Iceland	1	—	—	1
Italy	72	21	Culture 1, natural resources 1, present power 1	93
Norway	6	3	Culture 1, natural resources 1, relative wealth 1	9
Spain	44	—	—	44
Sweden	12	7	Culture 1, natural resources 1, situation 1, relative wealth 1	19
Switzerland	9	4	Culture 1, natural resources 1, relative wealth 1	13

<sup>1</sup> Excluding Ireland and self-governing colonies

cases either to give a unanimous decision against the smaller State or a non-unanimous decision, leaving the road open for an appeal to arms. In complete contrast to this, the proposed European Federation would have abolished all causes of serious political conflict, while the possibility of resorting to war as a means to settlement would be effectively precluded.

## 3

In the present League of Nations, the form of organisation gives the greater States an opportunity of imposing on smaller States a reduction, or an increase, of their respective armaments, according as may best suit the wishes and requirements of the Greater Power. In the European Federation, on the contrary, the burden of armament which it may be found desirable to maintain will be fairly and equably distributed according to the resources of the various Members, and should it be necessary to protect specially exposed parts of the general territory by fortification, such protection would be carried out at the expense of the whole.

## 4

In the present League of Nations the smaller States are particularly exposed to danger the moment a conflict breaks out, owing to the fact that the organisation of the League makes no provision, and lays down no rule, for the forces which the central power could command for common action.

In contrast to this, the European Federation provides every opportunity of organising and exercising forces for the common service to whatever extent may be deemed advisable.

## 5

To the great detriment of the minor States in particular, the Covenant of the present League of Nations places the command of any military action undertaken by the League in the hands of a Council (the Council of the League) consisting only of representatives of some few of the Member States, and whose power is altogether paralysed by the unanimity clause

In contrast to this, any action taken by the European Federation would naturally be set in progress with the fullest unity and firmness by the central authority

## 6.

The present League of Nations offers no security to minor States against tariff exploitation on the part of the Greater Powers (for the manner in which this could develop, cf the fate of Switzerland in 1816, as noted on pp 74-76) A Great Power within the League can at any moment, should it so desire, bar all imports from a smaller State prevented by its relative insignificance from making any effective retaliation

In the proposed Europa Communis no country could set up economical barriers to the prejudice of another. The products of all States would have free access to the great European market, no outward-tending commercial initiative on the part of a smaller State would here be impeded by the consideration of difficulties which under the former arrangement might be placed in its way—perhaps at the most inopportune moment—by one or another of the States in whose territory it had begun to operate (Take, for instance, the effect on Scandinavian countries of a more or less complete closing of the ports of other countries to imports of



Scandinavian iron, timber, fish or agricultural products ) Compared with the advantage to their export trade thus ensured to the smaller countries, the fact of their own markets being opened at the same time to the products of the greater States would be of minor importance , for it would hardly be possible under any circumstances for smaller States to restrict their imports from the larger countries without getting the worst of the transaction themselves

There can be no doubt, then, but that the establishment of a Europa Communis as here proposed would in the highest degree safeguard the position of the many minor States of Europe

From the position of neglected stepchildren, helplessly at the mercy of arbitrary political measures in every sphere, they pass to a calm and peaceful existence, ensured against all political violence, and with a reasonable voice in the framing of all measures affecting the future of their continent and thereby of their own respective countries

## CHAPTER VI

### VALUE OF THE PROPOSED EUROPA COMMUNIS TO THE GREAT POWERS OF EUROPE

THROUGHOUT the previous history of Europe we can trace a constant series of endeavours on the part of individual Powers to acquire and maintain dominion over the greatest possible extent of territory on that continent. All attempts in this direction have, however, proved futile, often resulting in widespread disaster, whether the movement arose from the initiative of a people, a dynasty, a highly organised religious movement, or a single strong and ambitious personality.

The most permanent and the most far-reaching hegemony in the history of Europe was that of the Romans, which was succeeded by a state of confusion deeper and more extensive than any since. So great, however, was the extent and positive achievement of this concentration of power, and so powerful in its after-effects, that for more than a thousand years it continued to provide, as it were, a pretext for—indeed, gave its name to—the continued attempts to create a similar state of affairs. Firstly, that of the Franks about the year 800, under Charlemagne, then, a century and a half later, that of the Saxon-Germans, under Otto the Great, and further, in some degree, the attempts at supremacy made by the Church of Rome. All these attempts at creating a central power in Europe

answering to that of the Roman Empire failed, and the same negative result attended the endeavour of the Habsburgs to renew and extend the mediæval Germano-Roman Empire, which was soon wrecked, partly by the religious dissension brought about by the Reformation, partly by the steadily increasing power of France, though the Empire itself was only formally dissolved in 1806, when it was torn asunder by Napoleon.

Since the abrupt collapse of Napoleon's brief hegemony we have had a century of diplomatic and military conflict between the great national units of Europe, almost every one of which has with varying partial success endeavoured to gain the mastery of Europe.

The principal value of a **Europa Communis** to the **Great Powers of Europe** lies in the fact that its establishment would definitively preclude all attempts at attaining such hegemony by force, and the question as to profit and loss generally arising from this change is not difficult to settle.

Each individual Great Power loses, as we have seen, its problematical chance of gaining supremacy over other nations by political force, and vegetating thereafter at their expense, it is also debarred from politically excluding the industrial products of other peoples from its markets.

On the other hand, as a gain to each individual Great Power we have the certain relief from the enormous expenditure of money and energy, and the disturbing uncertainty occasioned by the fact that other Great Powers might pursue such a policy, while at the same time every Great Power will have secured free access for its products to the markets of all other European States.

The result of a choice on the part of all Great Powers between a League of Nations as at present existing

and the proposed Europa Communis should, then, hardly be doubtful. The long series of terrible misfortunes which all the different attempts at hegemony have brought upon all the peoples of Europe, finally culminating in the last Great War with its many ill consequences, should surely suffice to teach the peoples of Europe the glaring disproportion between the difficulties and dangers of a political struggle for hegemony and the problematical and ever-disputed advantage to be gained in the unlikely event of such an attempt ever succeeding.

But a choice between the two forms of union can hardly be taken to depend solely on the result of such considerations, in general, however weighty. The feeling among nations is still too greatly under the influence of primitive egoism. Each of the greater peoples will doubtless take up its attitude towards the question particularly from its estimate of what can be gained in respect of bettering the more or less favourable position which it occupies itself at the moment when the question is raised.

Consequently we must endeavour to arrive at a general view of the importance to each particular Great Power of entering into such an arrangement at the present moment, in the state of affairs in which the late war has left them.

# 1

As regards Russia, the first thing to note is the rapidity with which the work of reconstruction could be carried out. With the sound and stable conditions ensured to trade and commerce in every respect by the proposed confederation (the certainty of peace, the abolition of tariff barriers, common currency as the basis of all transactions), all other peoples in the con-

federation would certainly vie with one another in affording Russia all the help required, while the free competition prevailing on all sides would afford relatively favourable conditions for such help. As, moreover, the expenses of military establishment would be comparatively small, proportionately greater sums could be devoted to the improvement of the country's resources, which would further accelerate the work of reconstruction.

Russia would be able to relinquish the old policy of territorial expansion, without any risk of finding itself subjected to economical blockade, and could place itself in the hands of the Federation Government with confidence. True, the number of Russian representatives on the Assembly would hardly be altogether commensurate, on its first entry, to the numbers of its population. The state of culture among its inhabitants at the moment is too low, its poverty and helplessness too pronounced, but under any circumstances the representation of Russia would still be large enough to exert a considerable influence in the Federal Government. Partly on this account, and partly as a result of the whole nature of the federation, Russia would be assured that the administration would meet every reasonable wish on the part of that country in regard to traffic facilities in transit which would be within the power, and indeed the duty, of the Federal Government. And the task would be rendered easier by the fact that all interested parties, i.e. the commercial element of all the confederate countries—buyers and sellers, and those through whose territory goods pass—would find such an arrangement to their advantage. Finally, both the Baltic and Black Sea would be freely and safely open to any Russian commercial undertakings.

It may further be asked how the present Government of Russia, the Soviet, might be supposed to view the inclusion of that country in a European Federation. Here it is certain that the "communism of States" which forms the basis of such a federation must agree with the principles of the Soviet Government. In accordance with this, it is noted as a main reason for the attitude of reserve maintained by Soviet Russia towards the question of joining the League of Nations that the present organisation of the latter is not conducive to the attainment of its declared purpose, which can, indeed, only be obtained by a Europa Communis. The confederation form of government is, indeed, said to have been introduced recently into Soviet territory, so that Russia is now to consist of States united in the same manner as would be the case with our Europa Communis. Within such a confederation, the various peoples of Russia would be as nationally independent one of another as, for instance, England, France, and Italy. Present-day Russia, then, under the Soviet Government, would enter the confederation, not as a single unit, but as a collection of separately administered Russian national States. As regards the commercial communism which the Soviet had so energetically sought to introduce, it seems doubtful whether its economical principles, even in the form in which they are at present applied, would, when it comes to the point, be found compatible with Russia's entry into any European confederation. But why should the adaptation already commenced not be continued in a suitable degree?

## 2

For the German people the establishment of a Europa Communis would be equivalent to a happy relief from

severe, humiliating, and almost insuperable difficulties. It would find itself in a moment on an equal footing with all other European peoples. Such an arrangement would, moreover, be particularly fortunate if the division of Germany into several smaller States, which under post-war conditions must be the aim of France's foreign policy, should have been accomplished. The dissociated German States would then be once more united under precisely similar conditions, save that the confederation of which they formed a part would include not only the German people but also all other European nations, among them, be it noted, those which contain the German minorities formerly displaced. In the proposed Europa Communis, then, no economical barriers would separate Germans from other Germans, it would also provide the requisite conditions for a revision of the lines drawn by the Treaty of Versailles between the administrations of the different States, with no real detriment to any party's interests, and with proportionately less friction, on the scale rendered natural by the altered conditions of Europe. But this is not all. There will also be ample scope for a settlement favourable to all parties of the outstanding questions between Germany and other European nations, including the reparations question.

And what has Germany to renounce in return for all it thus obtains? It must once and for all relinquish all ideas of a war of revenge against France and definitively bury all dreams of a German hegemony in Europe, all in favour of the Europa Communis in which German ability and German qualities would soon have the same opportunity of exercising their influence as those of all other European nations.

## 3

In regard to Italy, despite its glorious traditions of power, the fact remains that it is not only the least populated but also commercially the least important of the Great Powers of Europe. This last very important point is due to its lack of natural products, such as coal and iron, etc. The industries of Italy, therefore, which have grown considerably of recent years, cannot dispense with the imports of raw materials, a feature which has been counterbalanced by the fact that the working of the soil has been largely based on export of its own products.

But the double dependence on other countries arising from the need of imports and of exports combined would, in the event of war, prove perilous in the extreme, since the country might under certain circumstances be forced to take part in a war solely in order to avoid such dislocation of its economic life as might endanger its internal peace and political order. Few nations in Europe are therefore more keenly interested than Italy in the establishment of an arrangement effectively securing peace and unhindered facilities for trade. And Italy's interest in this respect has been further increased by the heavy burdens laid upon it by the late war (debts incurred, and the need of continued armaments).

To the outsider, then, it would seem obvious that Italy's entry into the Europa Communis would bring great relief and positive advantage to the Italian people, while it has the less to lose by so doing from the fact that its national wishes have been fulfilled almost in their entirety.



In the case of England the position is considerably more complicated

As long as this country has maintained a consistent and purposeful foreign policy, that policy has had two principal aims . (1) to provide the best possible safeguard against those invasions, attempted invasions or preparations for such, which have been constantly repeated as soon as any continental nation aiming at hegemony had acquired sufficient power to contemplate such a step (Rome, the Normans, the Spanish Armada, Napoleon, the German fleet before the war) , and (2) the highest possible degree of security for its extensive colonial possessions . In pursuance of these two aims, it has had recourse more particularly to three main lines of action firstly, diplomatic or military intervention in continental affairs to prevent the attainment of hegemony by any Power , secondly, the powerful development of its navy , and finally, an as far as possible peaceful, liberal policy in commercial intercourse, more or less alike for other States and for its colonies, the most characteristic feature of which is the British free-trade system, which has knit such effective and, under difficult circumstances, highly important bonds between England and the continental States of Europe

The steady and powerful application of this three-fold policy has long enabled England not only to maintain without interruption, but even to increase its strong position, until the late war put the force and unity of the British Empire to a test probably exceeding any to which it had previously been subjected, a trial which was, however, admirably met

The question, then, is, What would be the value of

such a Europa Communis to England with its colonies, its fleet, and its traditional free trade ?

It is immediately obvious that by joining such a confederation, England would be definitively secured against future attempts at European hegemony or attempts at invasion on the part of any continental Power, while it would also be relieved of the necessity of repeating its interventions on the continent which have proved so costly in the past.

But this is not all. By joining the confederation, England further obtains the most far-reaching safeguard for its colonial empire. For when the participant nations place their diplomacy and armaments in the hands of the Federation Government, all other European countries would be entirely debarred from any attack upon England's colonial possessions, and the principal difficulties of British colonial policy have perhaps arisen from the action or aims of other European Powers. Furthermore, England obtains a positive guarantee for the possession of its colonies, from the fact that the establishment of any European Federation must necessarily involve such guarantees in regard to colonial possessions for all its Members. True, such a guarantee could hardly, perhaps, be given without an undertaking to ensure suitable free access to such colonies for commercial undertakings to the subjects of those countries combining to protect them, while the colonial administration would probably also have to subscribe to certain obligations in regard to mode of government. These conditions can, however, hardly be supposed to inspire any apprehension on the part of England, whose colonial administration already doubtless fulfils all such conditions as might reasonably be imagined requisite. And it need hardly be said that such a

guarantee for the safety of its colonies would be very welcome in itself at a time when England, after the late war, is somewhat weakened by its efforts

From a general political point of view, then, Great Britain has much to gain by joining a Europa Communis. Nevertheless, the conservative English people will undoubtedly find it hard to reconcile themselves to such a step. A principal reason for this lies in the serious breach with all tradition involved by allowing England's military forces, and more particularly England's fleet, to be merged in a common system of defence for Europe as a whole. Again and again it will be urged. Might not this fleet one day be used against England itself, might not the European Federation, under certain circumstances, act as a whole against the interests of England? It is beyond doubt that from the moment England forms a part of a Europa Communis England's interests are fully and wholly those of the confederation. This is evident, for instance, if we consider what State could be imagined as likely to threaten English interests. As we have already noted, this could in any case never be done by any European Power. The only possibility of any attack would be from American or Mongolian sources, and surely it may be taken for granted that European feeling and European common sense would set in motion the whole forces of our continent to oppose any such attempt. No attack could ever be made upon England without at the same time threatening the European confederation of which it forms a part, any more than San Francisco could be attacked without affecting New York.

But the great step is difficult to take, however favourable the conditions in themselves may be, and every effort should be made to facilitate it. The continental

States would therefore be acting wisely if they agreed—and their power within the confederation would be sufficient to permit it—that the confederation should entrust the building, equipment, and manning of the confederate fleet predominantly to the colonial Powers, in such a manner that each equipped a part answering to the strength of its fleet on entering the confederation.

And finally, as regards

The value of a Europa Communis to the commercial life of England,

this question is one of so great general interest as to deserve more detailed consideration here

It would seem beyond doubt that the principles of free trade so long consistently maintained by England constitute a main cause of the present increase in England's commercial difficulties since the war. True, it is right enough in principle that English—or German—commerce, for instance, will as such and as a whole thrive best under free-trade conditions between English or German provinces as the case may be, and in the same way, it is perfectly certain that European commerce would flourish best under European free-trade conditions. On the other hand, it seems obvious that the one country in all Europe which alone took the lead in the introduction of free trade would involve itself in an economically risky undertaking, the successful outcome of which in the long run would depend on how far other countries were disposed to follow its example.

Despite the fact that this has not been done, fortune nevertheless favoured the bold free-trade policy of England to some degree, inasmuch as the protectionist policy adopted by other countries was for a long time

comparatively moderate, and did not offer serious obstacles to the skilful and persevering British industry.

In course of time, however, as it appeared that not only all other great political communities (e.g. U.S.A., France, Germany, Russia, etc.), but England's own self-governing colonies themselves, far from doing likewise, gradually extended and increased their protectionist tariffs, it seemed plain that English trade was exposed to an ever-increasing danger from the fact that England was the only State to maintain a free-trade policy.

Since the war, the diminished purchasing power of the peoples of Europe, in conjunction with the prevailing protectionist policy and the dumping of goods, has transformed this danger into an actual and bitter reality, and, as far as an outsider can judge, England's present political leaders appear to be in no slight quandary as to the economic policy which the country should adopt for the future.

Viewed from without, this difficulty is easily understood, since the two alternatives at present open to English commercial policy, with English electors at the moment (during the election of December 1923) must appear as Scylla and Charybdis.

The one alternative, recommended by the colonies, and now apparently adopted in England by the Conservative Party, is the idea put forward by Chamberlain at the beginning of the century—to wit, that England should renounce the free-trade policy hitherto followed and introduce a preferential tariff for colonial products as against imports from foreign countries, the colonies in return granting similar reductions in the duties on English goods.

This arrangement is attended by great and serious drawbacks.

(a) In the first place, it would of itself, apart from its other effects, inevitably involve very essential difficulties to the country and its people, partly because any radical alteration in the tariffs of any State always means considerable loss in values and expense for new plant and additional work in many departments, partly because the whole arrangement could hardly be imagined to be of any effect unless it also comprised preferential treatment of colonial foodstuffs, which amounts to a rise in prices and increased cost of living to the whole of England's population

(b) Furthermore, the adoption of the Chamberlain policy would compel such foreign countries, including all the continental States of Europe, great or small, whose long-continued export trade to England is thereby hampered or diminished, to resort to protective measures in an increasing degree, in order to meet the loss to their own economical life, a fact which will react again upon and impede the introduction of English industrial products into all such countries

(c) In addition, the loosening or even breaking of the many commercial ties by which England is now so strongly bound in more or less degree to nearly all the continental States of Europe must necessarily involve a weakening of England's power and security. For as England excludes the continent from its markets, and the existing economical intercourse diminishes or ceases, the intercourse between the continental States themselves will increase in like degree, and render possible that concentration of power on the continent which England has hitherto found it most advisable to hinder, from the point of view that it might only too easily be directed against England and its colonies once so isolated from the rest

(d) And in spite of the difficulties and considerable

risk which the Chamberlain policy thus involves for England, it does not after all afford any real security to its industry as regards the colonial markets it may develop. For any one of these self-governing colonies can at any time break off its commercial relations with the Mother Country, should its parliament for the time being consider such a step advisable.

Briefly, then, and in somewhat other words, we may say that the great disadvantage of the Chamberlain policy is that it bases the commercial future of England on intercourse with distant colonies,

despite the fact that England thus becomes isolated from, or possibly even brought into a certain opposition to the Continent of Europe, which is after all its nearest neighbour, and with which its interests in reality wholly and naturally coincide,

and despite the fact that no future development could in itself seem more reasonable than that the distant and self-governing British colonies should, as their population increases (perhaps to the same degree as that of the U S A ) and the natural wealth of their enormous geographical area is exploited, find it ever more and more unreasonable to have their commercial policy determined by consideration for the Mother Country in Europe.

And now as regards the second alternative at present open to the English people, the continued unaltered maintenance of free trade, this appears only more attractive than the Chamberlain programme in offering at least the chance of avoiding both the general increase in cost of living and the practical difficulties necessarily attending any such change of system. For the rest, it seems as if English commerce had no prospect but

that of the long and gloomy waiting for better times, perhaps in vain, as long as it adheres to free trade as hitherto and declines to enter on a new and more favourable commercial policy

But what, then, can be said to be the right commercial policy for England ?

Such a policy might perhaps be based on the two following principles

(1) In the first place, it seems beyond doubt that England, under pressure of circumstances, should resort to a protectionist policy, and one of no slight extent, at the same time clearly and definitely maintaining in principle the traditional policy of free trade, albeit in a new and improved form, and with one special provision set forth below. In this way, the country would be able to steer between Scylla and Charybdis, and avoid the difficulties attending a radical change of system

(2) At the same time it should be pointed out that the greatest care should of course be taken, in the formulation of a protectionist policy, to avoid such measures as might alienate even the smallest industrial market unless absolutely necessary. When colonies which after all maintain protective tariff systems against their free-trade Mother Country ask for preferential tariffs from the latter, the answer should be "We understand your wishes, and will meet them as far as we can, but those of our friends in Europe who favour our products to the same extent as you do must have the same advantages as you enjoy "

England should thus base its commercial policy, not on intercourse mainly with its colonies, but, as hitherto, on equal intercourse with its colonies and the Continent of Europe. And the task before it thus becomes that



of finding a satisfactory form for commercial intercourse between the British Empire and that part (presumably a steadily increasing part) of the Continent which finds it advisable to enter into an Anglo-European commercial combine (the form of which will be set forth below).

(3) Finally, we may draw attention to an incontestable duty incumbent upon England as the country which has so long maintained, in truly lordly wise, a very risky free-trade policy to the advantage of other nations equally with, or even more than, itself, a policy which has now ended by involving England in the greatest difficulties. Such an England, which in spite of all intends still to maintain its traditional free-trade policy to the highest possible degree, should now undoubtedly regard it as not only a right but a duty to demand the fullest possible guarantees for the future progress of its free-trade intercourse with other countries, unhampered by those difficulties which were due most of all to the lack of reciprocal action on the part of those other countries, and which were already distinctly perceptible prior to the late war, and have gained the upper hand since its conclusion. And it would be the more reasonable to make use of the unique opportunity afforded by the whole general situation since the war for raising the demand for a reciprocal policy, since both England and the other States (self-governing colonies as well as continental European States) interested in maintaining, also under a period of British protectionist policy, intercourse with England on the free-trade principle would actually, by the very fact of adopting a reciprocal policy, also effectively secure the future unhindered progress of such intercourse and relieve their reciprocal free trade from the element of risk which has thus been the necessary and unpleasant

consequence of the hitherto prevalent form, or lack of form, for such intercourse

England should therefore demand that those countries, whether colonies or foreign States, which desire to maintain free-trade relations with England in the future should on the one hand grant England right to free trade in their territories, and on the other, declare their willingness to co-operate with England and other countries having free-trade relations with England in fixing the common protective tariffs which all combined might find it to their interest to maintain

But what kind of arrangement can there be which would permit the carrying out of a British commercial policy in accordance with the four presumably incontestable fundamental principles outlined above?

Unquestionably, the only way would be by the establishment of *an Anglo-European Confederate State* (which from its nature must have a tariff parliament common to all members and a common currency for the whole confederation)

Such a confederation would ensure the peaceful continuance of intercourse on free-trade principles between its members. It excludes no country and no market, since any State so desiring may be admitted to membership. Externally, it maintains a protectionist policy to such extent as its interests might render advisable. And there is nothing to prevent it from granting any friendly State with which it is closely related, but which might not wish to become a member itself, all suitable preference, of course in consideration of corresponding advantages granted in return in other respects.

In addition to England itself, an Anglo-European Confederation would come to include more or fewer

of England's self-governing colonies and of the countries of Europe, closely related to England—as indeed most continental countries are when it comes to the point. It is impossible to say beforehand which or how many members a European tariff federation would have to begin with, but it seems certain at least that the number of States which would unite with a view to inter-state free trade under shelter of a common protectionist tariff would be sufficient to prevent England from feeling the transition as any radical alteration in the conditions of its commercial life. Moreover, the increase in cost of living would be infinitesimal or nil. The inconveniences of the new arrangement would certainly be small compared with the effects of the general increase in employment which, as experience shows, always takes place in a confederation immediately on its formation (cf. following section).

The formation of an Anglo-European tariff federation, i.e. the sure forerunner of the "Anglo-European United States" (which is precisely our proposed *Europa Communis*), would then provide the only natural solution of the difficulties at present seriously felt by England's trade and commerce.

And what could be more natural than that England's Government should apply to England itself, its relations and friends, that very form of union which it has, in course of time, applied with incomparable statesmanship to no fewer than three groups of colonies (Canada, Australia, and South Africa), in each case with the most excellent results (see following section).

##### 5

And finally, France. The country with the great and proud traditions. This beautiful land of France,

for whose people all other nations of Europe severally feel more sympathy than for any other, and whose contributions to the culture of the world have laid all other peoples under a debt of gratitude incomparably exceeding the whole of France's momentary debts in gold.

To this France fell, in the late war, the sorry lot of winning a pyrrhic victory of the most terrible character. With the aid of powerful allies it succeeded in overthrowing a superior opponent who, nevertheless, was not so incapacitated but that he would be nearly as strong as before the moment he were suffered to rise. And since, after the victory, France's allies have withdrawn with no certain promise of renewed assistance in case of need, France, weakened and mutilated by the war, is doomed to continue exerting all its force to hold its enemy down, knowing that the horrors of a war of vengeance and annihilating havoc will surely follow once its hold is loosed. As matters stand, nothing but a gruesome dismemberment of its hereditary foe can really ensure France against such a war, and even this, it would seem, could hardly be effected without manifold and serious after-effects recoiling on the future of the French people itself.

In considering the means still open to France of escaping from this fatal position without serious detriment to its interests, or any loss of the honours of war, it seems more and more evident that the only sure way is by joining a European confederation, a step which would at once cut the whole Gordian knot of difficulties in which it is at present involved.

Europa Communis would then offer France the following advantages:

- (1) All possibility of a German war of vengeance or other European war against France would be precluded.
- (2) The way would be open for a peaceable and amic-

able solution of the reparations question, which again is a necessary condition for the reasonable settlement of France's war debt. This, together with the enormous saving in military expenditure, occasioned by the establishment of a European federation, would give France the best opportunity of rehabilitating its finances.

(3) Furthermore, France would have the same guarantees for continued possession of its colonies as noted above in the case of England and other colonial Powers.

(4) Finally, the French people would obtain free and unhindered access for its products to the markets of all other members of the confederation, and in addition, the same right to trade in the colonies of other European Powers as it concedes to them for their respective nationals.

And what are the sacrifices France would be required to make in return for these advantages?

We have already noted that it would have to grant the subjects of other nations the same trading privileges in its colonies as it obtains in theirs, in addition, it would have to agree to the merging of its fleet and army in those of Europe as a whole.

It is easy to see how these demands, though fair and reasonable in themselves, would clash with French tradition, and all possible measures should therefore be taken to soften and facilitate their fulfilment.

Unquestionably, then, France should be granted the same concessions as we have already suggested in the case of England. The confederation would probably find no difficulty in guaranteeing France the right to equip and man a portion of the confederate fleet, answering to size of its fleet in proportion to that of all Europe at the time of its entering the confederation. And a similar arrangement could doubtless be made in regard to its corps of army officers and its war material.

## CHAPTER VII

### HISTORICAL SURVEY OF THE EFFECTS OF EARLIER CONFEDERATIONS SIMILAR IN FORM AND CHARACTER TO THAT HERE PROPOSED

THE foregoing, purely theoretical, considerations thus lead us to the conclusion that States wishing effectively to ensure themselves against war among themselves, and at the same time strengthen their position in regard to other countries, can attain this end by placing their whole war material, and their means for economic warfare, in the hands of a federal government, which then guarantees the safety of all the confederate States against outsiders

Correct as this conclusion may appear, it will nevertheless be well, before building further on that basis, to consider what actual experience humanity has gained in regard to the effect of such confederations. And in this connection, particular interest attaches to federations comprising States of different nationality. Fortunately, we have a number of such cases to draw upon, several, moreover, with different nationalities. And we may now proceed to consider these, first giving a brief outline of the constitution in each case, and then endeavouring to show how the union may be supposed to have affected the relations of the confederate States among themselves and their relations with other Powers

Typical features of such constitutions are a common tariff system, common currency, a common department of foreign affairs, a common railway system, and further, the division of the Federal Government into three factors. a general executive authority (King or President and Ministry), a general legislative power (a Federal Assembly consisting of two chambers, the members of one at least being chosen by the separate States more or less in proportion to population), and finally, a federal court of justice. Apart from all these common features, however, the cases we have to consider show certain points of difference, e g in the degree of power vested in king or president relative to the parliament, and the authority of the Federal Government as compared with that of the Governments of the separate States.

Among the constitutions whose form, importance and effect are briefly dealt with in the following, that of the United States of North America is of principal interest, as being the first of its kind, and consequently serving as a model, at least in some degree, for the form and character of later constitutions. We may therefore consider it more in detail than the rest.

## 1 THE UNITED STATES OF NORTH AMERICA

The United States of North America comprise an area of about 9,335,000 square kilometres, or something between that of Europe (10,000,000), and Brazil (8,500,000). There are nearly fifty separate States, and a couple of territories, in addition to the federal district of Columbia.

The population amounts to over 100,000,000, of which about 10,000,000 negroes (and mulattos) and about 250,000 Indians. The white population of the States

has for many years received such increments by immigration that the original marked difference existing between the people of the north-east (the British or Yankee type, with a touch of the German element, in New England) and the more Latin type in the south has in course of time become largely effaced. There can therefore no longer be said to be any decisive national difference between the populations of the different States, all of which have come to feel themselves more and more as belonging to one North-American nation.

The Federal constitution was arrived at in 1789, as a compromise between the standpoints of the Federalists and the Republicans, the former seeking mainly to preserve the independence of the individual States, while the latter aimed at a strong central power with a Senate elected for life and having authority to appoint the governors of the various States. The federation was finally concluded on the arrangement that the individual States, for the common welfare of all and the strengthening of their position as a whole, conceded certain portions of their authority to the Federal Government. In accordance with this, we find as a main principle in the constitution that all authority not expressly vested in the Federal Government lies with the individual State, and as a further consequence, that amendments to the Federal constitution can only be effected by the separate States (with the approval of three-quarters of their number), though such amendments may be proposed either by the Federal Government (if approved by a two-thirds majority in both Chambers) or by the Government of a single State (on acceptance by the legislative Assemblies in two-thirds of the States). In addition to the spheres of



authority mentioned in the introduction to this chapter, several further offices were entrusted to the Federal Government, the most important being as follows (1) Taxation, which must be uniform for all States, and the raising of loans on the credit of all States combined—i.e. of the Federation; (2) regulation of foreign and inter-State trade and other industrial matters, (3) regulation of the question of nationality within the Federation, (4) the introduction of common weights and measures, and (5) common patent and copyright laws, (6) the establishment of a common postal system.

The authority of the individual States is thus chiefly concerned with the necessary regulations governing personal interests and everyday life.

In practice, the double arrangement works out in such a manner that a citizen of the United States very rarely comes in contact with the Federal institutions, which only takes place as a rule when he votes at the Federal elections, every two years, or has to pay customs duties or lay a complaint with the post office. Otherwise, it is the State authorities he has to deal with throughout his lifetime. It is the State that registers his birth, provides him with a guardian if needed, arranges his education, secures his inheritance, marries or divorces him, prosecutes him in the civil court and condemns and executes him in the event of his happening to commit a murder. Police and poor law arrangements, roads and waterworks are under State administration.

The constitution of the State Government has altogether formed the model for that of the Federation (*vide infra*). Each State has its executive, legislative and judiciary authority.

The executive is in the hands of a governor chosen by

the people, and having command over the State militia, which he can use in cases of riot, tumult or hostile invasion. The chief officials are elected by the people, the remainder appointed by the Governor, but in most cases with the subsequent approval of the Senate. The influence of the Governor upon legislation is similar to that of the President in the Federation (veto, right of suggestion).

The legislative power is divided between two Chambers—a Senate and a House of Representatives. Members of both are chosen by the people in single-membered districts, the senatorial districts, however, being the larger, as the number of members here is smaller. The two Chambers have equal power, the Senate has the particular function of acting as a court of law in proceedings against State officers.

The executive power of the Federal Government is in the hands of a President, elected for a period of four years by delegates chosen by each individual State in numbers equal to those of the members each sends to the Congress.

The President is assisted by a Council, the members of which are appointed by himself and act as heads of their respective departments. The Council is often referred to as a Cabinet, or Ministry, but is of an entirely different character from that of ministries in countries under parliamentary government. Its members are here entirely independent of the Congress, have no responsibility towards it, and neither speak at nor attend its meetings. The Council has no collective responsibility, the members standing merely in a personal, confidential and responsible relation to the President. Their positions are purely administrative, and they are not even obliged by law to meet as a council at all.

The President supervises the due administration of all laws. His functions are for the rest fourfold: (1) he has supreme command of the fleet and army, (2) he is head of the Foreign Department, in which he has unrestricted initiative, and also, through his Secretary of State (Foreign Minister) conducts all transactions with foreign Powers. The final decision in foreign affairs, however, rests with him in conjunction with the Senate (*vide infra*), (3) he has a certain influence in matters of legislation, but only through his power of veto, and this again may be counteracted by the passing of a measure for the second time with a two-thirds majority in both Chambers. The President may not introduce any Bill in Congress, but can, by a message to Congress, proffer his opinion on important national questions and measures to be taken, (4) he has the appointment of a series of administrative officials, which must, however, in the majority of cases, be approved by the Senate.

The legislative power of the Federation is in the hands of Congress, consisting of two Chambers—the Senate and the House of Representatives, the former being regarded as the organ of the States, the latter as that of the population as a whole.

The House of Representatives consists of members elected within each State to a number proportionate to its population. In 1910, the number of members was 398. As regards the method of election, each State has a free hand, and the franchise qualification is the same as that of the State itself for election to the corresponding House in its own parliament. Members are elected for a period of two years, and all mandates expire simultaneously. The proceedings of the House are very different from those of the English House of

Commons, for instance, and most other European chambers of like character. The time allowed for speeches and discussion in the House is very restricted, and ministers never take part in the debates. The great majority of the work is done in committee. True, any member has the right to introduce a new Bill, but in such case the proposal is at once handed over for consideration to one or another of the many existing committees. In 1910 there were no fewer than sixty-two regular (standing) committees, each consisting of from three to twenty members. Committees have full and free power over the Bills submitted to them, and hardly more than a twentieth part of the Bills so dealt with ever emerge from the sifting process to general discussion in the House itself. Bills thus brought forward may be discussed and amended freely by the committees, the proceedings in some cases being public. In the House itself the fate of a Bill is decided in the course of an hour, by a debate opened by the members of committee.

The extremely important task of uniting the whole complicated system of legislative committees lies with the Speaker. In contrast, for instance, to the position of the Speaker in the English House of Commons, where he is at all times merely an impartial leader of debates, the American Speaker acts throughout as a party member, indeed, the principal leader of the majority is chosen for the post. In some respects, his position corresponds to that of a European Prime Minister, and in respect of political importance is undoubtedly second only to that of the President himself. The great power and influence of the Speaker rest on the fact that he not only personally appoints all members of the various committees, but also their chairmen.

He further decides which committee shall have the handling of the Bills proposed, and finally, can exercise authority in various ways during debate—as, for instance, in deciding the order of precedence of members speaking

The Senate is composed of two members from each State, irrespective of size. They are elected by the State Government for six years. One-third of the senators resign every second year. The Vice-President of the United States is *ex officio* Speaker of the Senate. This House works by means of committees in the same way as the House of Representatives, but both members and chairmen of committees are chosen by the Senate itself and not by the Speaker. In practice, they are appointed at preliminary party meetings. The work of the Senate is partly legislative, partly judiciary. Apart from taxation and financial legislation, which lies with the House of Representatives, the Senate has the same legislative power as the other. Its administrative functions are twofold. Firstly, it deals with foreign treaties placed before it by the President, and which require a two-thirds majority, this gives the Senate control of foreign policy, and it is therefore generally kept advised as to the progress of events in this department. The second administrative function of the Senate is that of controlling most of the President's official appointments, which require its sanction. Finally, the Senate exercises judiciary authority as a Supreme Court in any proceedings against federal officials.

Any difference of opinion regarding legislative matters between the two Chambers of the Congress will, as a rule, be settled without much difficulty by compromises arrived at by common committees.

The judiciary power of the Federation is exercised by a supreme federal court and a series of subordinate courts

The relations between State and Federal Government are kept as free and independent as possible, from the point of view that contact between them should be reduced to a minimum

In two respects, however, contact was inevitable : (1) The State Government directs elections to the federal institutions, and (2) the military forces organised and armed by the individual States are at the disposal of the Federal Government when duly called up for active service. In return, the State has the right of appealing to the Federation for aid against invasion or internal disturbance

**Progress of State and commercial life under the Federal Government**—The work of the United States legislators in the Convention of 1788 has finely stood the test of over 130 years. With an increasing feeling of unity in the population, the Federal and State Governments have carried out their respective duties without friction, and with such good effect that the United States may now probably be regarded as the most powerful community in the world. True, this position has not been attained altogether without military operations and other occasional exercise of force, but it is due, above all, to that free and energetic development of industrial life which has always been a particular feature of the Union, the form and character of the constitution, with no inter-state tariff boundaries, undoubtedly contributing to an important degree. The comprehensive development of trade generally has, owing to the enormous territorial area of the Union, and its wealth of raw materials of all kinds, been ensured without difficulty by the protectionist policy

maintained since 1861 almost without a break, whereby the industry of the United States has in course of time reached a position hardly inferior to that of agriculture.

The Convention provided that the Union should enter on its functions as soon as nine States had subscribed to the constitution. This condition was fulfilled in 1789, and in the same year the number of States was increased to eleven. In the following year Rhode Island joined the Union, in 1791 Vermont, in 1796 Kentucky, in the following year again, Tennessee, 1802 Ohio, and in 1803 Louisiana was purchased. From 1816 to 1820 six further States were admitted. In 1819 Florida was purchased. The republic of Texas, which had seceded from Mexico some years before, joined the Union in 1845, and in 1846, by agreement with England, the 49th parallel of latitude was fixed as the boundary line between the spheres of interest of the Union and Great Britain. The war between Mexico and the Union, which arose in consequence of Texas joining the latter, ended in 1848 with the cession by Mexico of half its territory (the later States of California, Nevada, and Utah, the territory of New Mexico, etc.).

Relations between the different States, and between the States themselves and the Union Government have always been most satisfactory, hardly any disputes of importance having arisen, with one exception, however, and this of such extent and serious character that the Union itself was at one time split up into two parts which had to be reunited by force. The cause of this dissension was the proposal for abolition of slavery, a question in itself of both ideal and economical importance, and one of particular difficulty not only on account of racial distinctions, but also from such national differences in temperament and habit of thought

as those which at that time existed in the fullest degree between the Yankees of the North and the predominantly Latin population of the South. Even before the formation of the Union an abolitionist society had begun to agitate on the question, and difficulties soon made themselves apparent. In 1794 an agreement was reached whereby Congress prohibited the importation of slaves, but with the proviso that this should not take effect until 1808. A new *modus vivendi* was arrived at in 1820, by the fixing of a given line north of which no slavery was allowed to exist, and as the number of slave-holding States for some time after remained exactly equal to that of the abolitionist States, the question did not become acute. In course of time, however, the slave States found themselves increasingly in the minority, and as the abolitionist agitation within their own borders became more and more active, the wealthy planters, fearing intervention in their domestic affairs on the part of the Federal Government, agreed to secede from the Union. President Lincoln, however, refused to admit their right to such a step, and in 1861 the Civil War broke out, ending, after four years of fierce conflict, in the subjection of the Southern States and the abolition of slavery. The war had caused enormous devastation and 500,000 human lives. The national debt of the Union had risen from \$90,000,000 to \$2,800,000,000, an increase far exceeding what it would have cost to free all the slaves in the whole of the South.

The position of the Union in regard to Foreign Affairs has for the most part been of a peaceful character, and its policy one of moderation. True, it has to a certain extent followed a principle of expansion, and under the circumstances this was natural enough, but even here the results have mostly been attained by



peaceful methods (purchase, negotiation, arbitration, etc.). This applies to all disputes with British North America. Relations with neighbours to the south have sometimes been less peaceable, the States maintaining a somewhat aggressive policy towards the inhabitants of the former Spanish possessions, a policy which was rendered the more easy by the disturbed and in many respects unfortunate conditions existing in those countries. It was the result of this policy (the entry of Texas into the Union) which led Mexico to enter on the unfortunate war of 1846-8.

In one instance, the Union has pursued a frankly and decisively aggressive policy—to wit, in its intervention in Cuba in 1898, which led to the war with Spain and the loss to that country of its West Indian and eastern Asiatic colonies.

In its relations with Europe the Union early adopted the standpoint (Monroe, 1823) of refusing to tolerate any extension of European power on American soil. In accordance with this, France was forced to relinquish its initiative in Mexico (1866-7) and leave the newly founded empire there to its fate, just as Spain, in 1865, was forced to give up San Domingo, which it had brought into subjection a couple of years before. During the Napoleonic Wars, the belligerents, particularly England, refused to respect the neutrality of the United States, and war with England resulted, a similar policy on the part of Germany a hundred years later led to the entry of the United States into the late war.

## 2 THE THREE BRITISH COLONIAL FEDERATIONS

In no fewer than three cases have groups of British colonies united in a confederation. The first step was taken by Canada, with the passing of the

British North American Act by the London Parliament in 1867, in 1900 Australia followed suit, and, finally, the same was done by South Africa in 1910

The Federal Government, which in all three cases is more or less alike, differs in some points of form from that of the United States of America, the difference being most pronounced as regards relations between State and Federal Government. In the U.S.A. the individual States, as such, hold all authority not expressly allotted to the Federal Government, in the British colonial federations the reverse is the case, the sphere of authority of the individual States being sharply restricted from the first. The Federal Government is thus more free to deal with questions arising in a new sphere. In South Africa, indeed, the Union Government is sovereign to such a degree as to be empowered to alter the position and competence of individual States within the Union.

The executive power in the British colonial federations is not, as in the U.S.A., placed in the hands of an elected President (with a Council of Ministers responsible to him alone), but is vested in the Crown, represented by the Governor-General appointed for five years, with a Ministry having the confidence of the elected Federal Parliament and responsible to the same. The Governor-General has the right to dissolve a Ministry already in power and to dissolve the Federal Parliament. He is assisted by an Executive Council appointed by himself. Ministers acting as such shall, however, at least in South Africa, be members of the Council. The Governor-General has the right to veto any law which he regards as detrimental to the interests of the British Empire.

The Parliament consists of a Senate and a House of Representatives, or House of Commons.

In Canada the Senate consists of twenty-four members from each of the States of Ontario and Quebec, and a smaller, varying number from each of the remaining States. In Australia and South Africa the Senate is composed of six and eight members respectively from each State, without regard to size, and chosen by the State itself. In Canada all senators are appointed for life by the Governor-General in council, and in South Africa the senators elected by the individual States (thirty-two in all) are supplemented by a further eight appointed by the Governor-General in council. In Australia and South Africa the period of office is six years, half the number of senators being elected every third year.

The House of Representatives has a considerably larger number of members, who are chosen for a shorter period. In all three cases they are chosen by the population, each State sending a number answering to its proportional population. The rules for voting however, differ not only in the three federations, but also to some extent in the individual States of each.

#### (a) *Canada*

The Dominion of Canada has an area of about 9,500,000 square kilometres, i.e. somewhat less than that of Europe, somewhat greater than that of the U.S.A. It consists of nine states or provinces, and five territories or districts. The capital is Ottawa.

The population—about 9,000,000—is divided by origin into about 2,000,000 English, over 1,000,000 Scotch, over 1,000,000 Irish, over 2,000,000 French, nearly 2,000,000 of other European origin or immigrant from U.S.A., and finally, some 100,000 Indians and Eskimos. This very heterogeneous population is by

no means so indiscriminately mingled as in the United States. In Lower Canada (the State of Quebec, on the lower St. Lawrence), the French element markedly predominates, no less than 80 per cent. of the population being French-speaking and Roman Catholics. The French Canadians, descendants of the earliest colonists, are highly conservative, and have retained with their language and religion much of the mode of life of earlier times. They are thus sharply distinguished from the busy Protestant British, who are keenly interested in modern commercial life, and constitute the majority of the population in Upper Canada (the State of Ontario, north of the Great Lakes and on the upper St. Lawrence), and dominate the life of the country not only there but also in the capital of Quebec, Montreal. The Scots have mostly settled in Nova Scotia, the Irish bulking largely among the population of New Brunswick.

**Political life under the Dominion Government** The constant friction between the French and British elements of the population, which often gave rise to disturbance, led to an open revolt in 1836, with a movement for the merging of Canada in the United States. After the establishment of the Dominion, however, this friction greatly subsided, and has steadily decreased ever since, despite the racial differences involved. The enormous general development of the country has naturally contributed largely to this result, and this again is undoubtedly due in great measure to the form of union established. Two features of this development, at once most conspicuous and of most fundamental importance, are the growth of the territory embraced and the extension of its railway systems. On its first foundation the Dominion of Canada comprised only

Upper and Lower Canada, New Scotland and New Brunswick, but negotiations were at once entered into with the Hudson's Bay Company for the purchase of supreme rights over its enormous territories, which was effected and approved by the British Parliament in the following year (1867) British Columbia joined in 1871, Prince Edward's Island in 1873, and finally, in 1878, came the inclusion of all British territory in North America with the exception of Newfoundland, which has remained aloof until the present day. Naturally, the cohesion between these enormous tracts of land could in the long run only be maintained by suitable railway communications, and the construction of these was effected in the course of a surprisingly short period by the Dominion Government, despite the apparently almost insuperable difficulties offered by the sparseness of the population. The first step was the inter-colonial railway, designed to unite the eastern States. Before this was completed (1876) a private company, supported in various ways by the Dominion Government, was entrusted with the gigantic task of establishing railway connection between the newly admitted British Columbia and the eastern States, and as a result the Canadian Pacific Railway was opened in 1886, several years before the time limit granted had expired. Since then numerous important systems have been added, among which recently (1914) the Grand Trunk Pacific Railway. Following the growth of the railway systems, the trade and general welfare of the country have flourished in the same proportion as in U.S.A. Canada has gradually adopted a similar protectionist policy (albeit with preferential treatment of British products) to that of the United States, and with similar results, so that a Canadian

industry is now in progress of development. The favourable conditions in the Dominion have led to an enormous immigration (at the beginning of the century up to 300,000 persons per annum) not only from Europe but also from the United States, with the result that the western prairies of Canada are becoming more and more populated.

The States of the Dominion have always been at peace one with another, and not even the former tension between Ontario and Quebec has essentially affected this position.

Relations with other Powers have been peaceable. Canada's only neighbour is the United States, and though the enormous and heterogeneous frontier line between the two countries has necessitated the discussion of numerous frontier questions, these have always been settled in an amicable manner, or an adequate *modus vivendi* arrived at, in every case by negotiation or arbitration. More difficult questions, such as the *Alabama* case, certain disputes regarding the boundaries of Alaska, questions as to fishing and navigation rights on the St. Lawrence and the Great Lakes, have all been settled without resorting to force and solely by negotiation (e.g. the Treaty of Washington, 1871) or by arbitration.

Canada took part with great patriotism in the European war of 1914-18.

### (b) *Australia*

The Commonwealth of Australia comprises an area of over 7,500,000 square kilometres. It consists of six separate States, three territories, and a federal district, within which last is to be erected a capital, which will be the seat of the Australian Government.

The population amounts to about 5,000,000, of which about 2 per cent coloured, otherwise of a more or less homogeneous character, at any rate with no marked national differences

Political life under the Commonwealth, which has a far wider scope of authority than that of the U S A , including also shipping and commerce, weights and measures, immigration, marriage laws and arbitration in industrial disputes, has proceeded peaceably, though, of course, not without some friction in certain respects. The question as to the tariff policy to be followed by the Commonwealth became acute immediately after its formation (1900), and was here solved in the same manner as by the other Unions already mentioned—to wit, by the adoption, in 1906, of a definitive protectionist policy, albeit with preferential tariffs for goods imported from the Mother Country. The question as to coloured immigration, especially as regards Chinese (Japanese), has occupied no inconsiderable part of the Government's time. But there is no feature more marked in the Commonwealth policy than the wishes and demands put forward by the Labour Party, the more so since this party gained a decisively leading position shortly after the establishment of the Commonwealth. It has proved to hold highly "national" views, has greatly furthered the development of the Commonwealth's forces for defence, and under its leadership Australia made great sacrifices in support of the Mother Country during the late war.

Relations between the various States, and between them and the Commonwealth Government, have been entirely peaceable hitherto, and the same applied to the Commonwealth's relations with other Powers apart from its participation in the late war as mentioned above.

*(c) South Africa*

The Union of South Africa comprises an area of about 1,250,000 square kilometres, the States numbering four. The population, about 7,500,000, consists of about 1,500,000 whites and about 6,000,000 of other or mixed races.

The white race is everywhere in a notable minority. There is a marked line of separation between it and the other races. A point of particular interest is the opposition formerly existing among the whites themselves, as between the original agricultural colonists of Dutch extraction, the Boers, and the later colonists, English speaking for the most part, who were chiefly drawn to the country by its mineral wealth.

With regard to language, English and Cape Dutch are accorded equal rights, and official proclamations are issued in both tongues.

**Internal political life under the Union.** The relations between the States have been peaceable without exception during the brief period of the Union's existence hitherto. It was formed in 1910, only eight years after the stubborn and protracted war between the British and the Boers. The two parties, deadly foes a short while back, and differing widely in language, mode of life and thought, settled down most amicably together as soon as the Union was formed, and united in fertile co-operation for the settlement of difficult questions, often of a highly controversial nature, e.g. formulation of the Constitution, questions of education, language, defence, labour conditions in the mining districts, and finally, the standing question as to immigration and general regulations for Asiatics (coolies, Indian merchants, etc.), in which the interests of the Natal farmers were



opposed to those of the white traders and the miners. This in itself affords good proof as to the national capacity of the form of constitution employed, and its power of smoothing away difficulties in controversial questions and at the same time developing the feeling of unity and common interest. Even more interesting and remarkable, however, is the manner in which the Union of South Africa stood the serious test to which it was put, a few years after its establishment, by the British Government, when, at the commencement of the late war, a telegraphic request was sent asking the Union to operate against the German wireless station in German South-West Africa. This meant renouncing its neutrality, but the Union, under the leadership of Botha, complied with the request. It should be borne in mind that the Dutch element, which had until very recently been decisively pro-German and anti-English, was in the majority among the whites of South Africa, and the war of 1914-18 offered them a unique opportunity of gaining complete independence of England with a predominant Boer government. Nevertheless, the Union was maintained in its existing form, only a small number of Boers taking part in the revolt occasioned by the mentioned participation in the European conflict, and the revolt was comparatively easily suppressed by the Union Government.

**Relations between the States of the Union**, as such, have been altogether peaceful and unaffected by the revolt above mentioned, while the **relation of the Union to other Powers** has been entirely correct as regards its near and only neighbour, Portuguese East Africa.

During the late war the Union took an active part on the side of the Allies.

## 3 THE UNITED STATES OF BRAZIL.

The United States of Brazil comprise an area of about 8,500,000 square kilometres (Europe 10,000,000). There are twenty States, and in addition, one federal district, where the capital is situated

The population (nearly 20,000,000) consists of 44 per cent white, 14 per cent negroes, 10 per cent. Indians, and 32 per cent mixed race. No colour line has ever existed in Brazil, and racial animosity does not here play such an important part as elsewhere, there are, however, marked racial and national differences between the individual States of Brazil, owing to the fact that the elements of the population are not uniformly distributed between them. In the southern coastal States there is a majority of whites, while the mixed race predominates in the northern coastal and central States, the Indians being in the majority in the Amazonas and possibly also in Matto Grosso

The Union Government has charge of higher education. Import duties and harbour dues can only be imposed by the Union Government, stamp duties and taxes on commodities both by the Union and by the several States. These last have the right to tax exports, commercial undertakings, real property and dealings in the same.

The President occupies a position entirely similar to that of the President of the United States.

The Parliament consists of a Chamber of Deputies and a Senate. The former consists of 212 members, elected for three years directly by the people, one member for every 70,000 inhabitants, with a minimum of four to each State. The Senate has three members from each State and from the federal district, elected

for nine years, one-third of the number being renewed every third year. The franchise extends to all men over twenty-one—mendicants, illiterates, and private soldiers or sailors excluded. Religious liberty prevails throughout the Union.

**Political life under the Union** The Union of Brazil commenced its existence in 1891 under the most difficult conditions. It came into the world by a *coup d'état*, suddenly sprung upon the country by a small number of military men, who proceeded without ceremony to depose a loved and respected emperor, the people as a whole having no sympathy with the establishment of the Union, or even understanding of what it meant. The whole class of steady, conservative-minded men who had been at the head of the administration during the Empire either emigrated or withdrew to their estates, refusing to have anything to do with the new Government. Inevitably, therefore, the power fell into the hands of military adventurers and unscrupulous politicians, with the result that the financial position of the country, already difficult enough, now became entirely corrupt, and a state of chaotic confusion ensued. It was generally expected that the huge territory embraced by the Union would speedily disintegrate into fractions of more or less homogeneous racial units, actually, however, it turned out far otherwise and far better than the many sceptics had anticipated. After some years of trial, with conspiracies, revolts, and the great civil war of 1893-4, the Union Government was at last established on a sure footing, and when President Moraes had succeeded in introducing the steadier civil elements into the Government and breaking the power of the military prætorian system hitherto maintained, it was possible to set about the arduous task of gradually

improving the State finances. In spite of serious difficulties—such as, for instance, the costly campaign against the religious fanatic of *Conseilhero*, in the interior of the country—the work was steadily carried forward, albeit with interruptions (a crisis in 1913-14), until now, after the late European war, the finances of Brazil are in a flourishing condition.

There has never been the slightest approach to war between the States of the Union themselves, and their relations with one another generally must be said to have been peaceable and amicable on the whole, having regard to the restless temperament of the very mixed population. This is certainly the case as compared, for instance, with other States of South and Central America. There have been occasional local disturbances, such as election riots in Bahia, a naval mutiny at Rio, outbreaks in Para and Parana, and the deposition of the Governor of Amazonas, these isolated and accidental troubles, however, were speedily suppressed by the Government troops. Certainly they do not affect the general result, that the Union Government of Brazil has shown a remarkable power to maintaining internal peace within the Union.

Relations with foreign Powers have been as peaceable as could be expected, despite serious difficulties arising out of frontier disputes with practically all the neighbouring countries. About the turn of the century, a dispute with France regarding the territory between French Guiana and the Amazon was settled by negotiation, and some years later an even more serious difference with England regarding the frontier of British Guiana was disposed of by the arbitration of the King of Italy. The threatening tension which arose in 1903 through the arbitrary and aggressive attitude

of Bolivia in the matter of the Acre territory was also, thanks to a quiet and reasonable policy on the part of Brazil, disposed of without having recourse to war. Claims to the same territory advanced by Peru in 1907 were settled by arbitration, and a frontier question with Columbia in 1909 in the same way. So also a boundary dispute with Uruguay was peaceably settled in 1913.

In the course of a frontier dispute at the commencement of the century between the neighbouring States of Chile and Argentina, Brazil rendered material assistance to the cause of peace by its action as mediator, and its continued amicable relations with these two countries led to the gradual formation of the so-called A B C Entente, which was sealed in 1916 by an agreement to the effect that any disputes in future, arising between any of the three should be submitted to an international commission. It was the A B C Powers which acted as mediators in the dispute between Mexico and U S A. in 1915.

Only on one occasion have the United States of Brazil departed from their general policy of peace, and that was during the late war, when, the extension of the German submarine campaign having attacked the Brazilian mercantile marine, they decided to follow the example of the U S A and take part in the war.

#### 4. THE GERMAN EMPIRE OF 1871 (NORTH GERMAN FEDERATION OF 1867)

The German Empire of 1871 embraced an area of some 540,000 square kilometres, comprising twenty-five States varying greatly in extent.

In the population of Germany there have been, and are to some extent even now, considerable national

differences (Prussians, Bavarians, Saxons, etc., Prussia itself showing certain divergences between the Prussians proper and the Hanoverians, Rhinelanders, Schleswig-Holsteiners, etc.)

The German Empire was formed as an extension of the North German Federation, and the constitution was in all essentials the same.

The legislative power was in the hands of the Reichstag and the Bundesrat, with the Emperor himself.

The Bundesrat was not a council representing the individual States as such, but an assembly of representatives of the Governments concerned (seventeen from Prussia, six for Bavaria, and four, four, three, three, two, and two for Saxony, Wurttemberg, Baden, Hesse, Mecklenburg-Schwerin and Brunswick respectively, with one for the Government of each of the remaining States). These voted on all questions in accordance with instructions from their respective Governments, so that the seventeen representatives of Prussia, for instance, would all vote alike. These last always included the Prussian Prime Minister (who was also Chancellor of the Empire) as *ex-officio* chairman of the Bundesrat. The chief function of this Bundesrat, as representing all the Governments concerned, was to sanction all imperial laws. It had, further, a certain supervision over the due execution of such laws, and judiciary powers in some imperial matters, at the same time exercising a sort of supreme control over the administration of the imperial finances, etc. Its business was transacted mainly through the medium of standing committees.

The Reichstag numbered 397 members, elected by ordinary vote for five years. Each member represented on an average 150,000 inhabitants.

The Emperor's business was merely to proclaim the imperial laws passed by the Bundesrat, which were published with the signature of the Chancellor in the official organ of the Press

The executive power was in the hands of the Emperor. Among the reigning princes of the confederate States<sup>1</sup> he was only *primus inter pares*, but as King of Prussia he was President of the Imperial Federation and as such bore the title of German Emperor besides having "præsidential rights". By virtue of these last he represented the imperial federation in foreign affairs, appointing diplomatic and consular representative, concluding all peace and other treaties with other nations, and with power even to declare a war of defence on his own authority, though the sanction of the Bundesrat was required for any offensive war. Furthermore, the Emperor was in supreme command of the imperial forces, though personally only commanding those of Prussia. His auxiliary organs in this respect were the Military Cabinet, the War Ministry, and the General Staff, together with various Inspections and General Commands. Finally, the Emperor was also head of the entire civil administration, through his Prussian Prime Minister, acting as Chancellor of the Empire, who was freely appointed without any parliamentary control. The Chancellor had at his disposal various offices or departments, answering to the ministries in other countries, the Chancellor himself being solely responsible for their actions, though there was no valid law by which he could be called to account.

The German Empire was an *ewiger Bund* according to its constitution, which could not be altered if only fourteen representatives on the Bundesrat voted against such alteration. Consequently, no amendment to the

constitution could be passed unless it suited the Government of Prussia with its fourteen representatives

As will be seen from the above, the constitution of the German Empire was of a character essentially different from the rest of those here considered. In the first place, it was a remarkable mixture of democratic and autocratic government, the latter element being, if anything, predominant. Furthermore, the autocracy was not based on any true community between the States concerned, but disproportionately in the hands of the King of Prussia, as representing by far the largest and strongest State of all.

Undoubtedly, this form of constitution would give great strength to the Imperial Government as long as the King of Prussia was able to fill the post of Chancellor with men of sufficient political influence and ability, but the position would be highly precarious in the event of any King of Prussia failing to find the right helper and keep him at his side.

From its formation to its fall, the German Empire was, as it were, the hub of European history. At the time when this was written, its fate is in the minds of all, and the conditions and happenings associated with its existence are so generally known that it would be superfluous to go further into the question of its internal and external relations.

Two points, however, are of particular interest in the present connection, viz

(1) That the relations between individual German States, which, as already noted, were formerly characterised by constant dissension and hostility, showed an increasing degree of peace and harmony as long as the imperial federation continued to exist.

(2) That German trade, and in many respects also



German culture, attained during that time a development which in rapidity of progress, wealth and extent has hardly its equal in history

## 5 SWITZERLAND

The conditions of this country are of particular interest to the question here under discussion. Itself a part of Europe and, like Europe itself, composed of many States partly of different nationality, language and religion, all inspired with the most pronounced feeling of independence, its history becomes, as it were, typical of Europe as a whole. And we may therefore fairly suppose that the experience of the Swiss nationalities in regard to the importance and effect of the forms of union they have tried should also apply to the nations of Europe together.

The *Schweizerische Eidgenossenschaft*, as the Swiss Federation was originally called, comprises an area of 41,324 square kilometres, the States (cantons and half-cantons) numbering twenty-five.

The population amounts to about 3,900,000 souls—consisting of about 71 per cent German, about 20 per cent French, about 8 per cent Italian, and about 1 per cent of *rhætoroman* nationality. The French element predominates in the cantons of Fribourg, Geneva, Neuchâtel, Valais and Vaud, the Italian in Ticino (Tessin), the *rhætoroman* making up about two-fifths of the population in Graubünden.

The constitution in its present form was arrived at mainly in 1848 (certain extensions of the federal authority were introduced in 1874, together with the right of the people to a referendum). It was formed by the cession of certain sovereign rights of States to the Federal Government, the States retaining certain other such

rights Amendments to the constitution require the agreement both of a majority of individual States and a majority of direct votes from the electorate

The executive power of the Federation is not in the hands of any single person, but lies with an Executive Council or Bundesrat, elected by the two Houses of Parliament in one. This Executive Council consists of seven members, of which six are elected for three years, the member acting as President of the Council and of the Federation being chosen for one year. The Council is not elected all at once, but each member by separate election, no two members may be from the same canton. Each member has charge of his own department, these being (1) political and foreign, (2) finance, (3) posts and railways, (4) defence, (5) justice, (6) interior, (7) trade industry and agriculture.

All resolutions and decisions are arrived at by the Executive Council as a whole, and the President has, as a rule, no other special function (apart from the charge of his own department, generally the political and foreign) than that of presiding at meetings of the Executive Council and representing the same.

The judiciary is entrusted to the two Chambers of the Parliament, viz (1) the Standerat or Council of States, consisting of forty-four members (two from each canton, one from each half-canton), and (2) the National Council, with 167 members, elected by the whole electorate, in proportional election, from forty-nine districts according to population.

The Federal Court, with a President and Vice-President elected for two years by the Parliament, deals with cases concerning any breach of the Federal laws, and also decides all disputes between the Federal Government and those of the cantons, between one

canton and another, and between citizens of different cantons #

A Referendum in regard to accepted federal laws can be demanded by eight cantons or by 30,000 electors

The constitutions of the cantons themselves vary considerably. Some still have direct popular government by popular assemblies (e.g. with franchise from eighteen years of age), but as a rule the cantons are governed by an Executive Council, "the minor council" (State Council), with a "Landamann" at its head, and by a Legislative Assembly or major council.

**Political life and commerce under the Federation** — On the introduction of the new constitution, a sudden change took place in the whole political life of the country. Under the earlier form of federation, as already described, all attempts at activity on the part of the Federal Government either led to nothing but futile discussions of questions of competence and interpretation, with bitterness and hostile feeling, and even actual war, between the States or riots in the States themselves, now, however, the whole work of the Federal Government was marked by fruitful progress. At a first result of the activity of the new Government, Berne was made capital of the Federation in 1848. In 1849 the common postal and telegraph service was opened. In 1849 a common currency superseded the numerous different cantonal coinage systems which had proved a great hindrance in transactions generally. Soon also the customs barriers between the various cantons were done away with. Common weights and measures could be introduced. In 1854 the Federation took over the development of the road and canal systems. In 1855 the polytechnic college at Zurich, afterwards so famous, was established, etc. Furthermore, railway

construction has been carried out with great energy throughout the country, though the Government here followed the short-sighted policy of placing the work in private hands, with the result that the subsequent acquirement of the lines by the State proved a serious expense. The step was decided on in 1898 and carried out in 1909.

The great advance in Swiss trade which has taken place in all branches since the establishment of the new form of government, and has progressed parallel with its activity, is a matter of common knowledge. This progress has undoubtedly been mainly due to the form of government in question.

Relations between the individual States have been of the same peaceable and amicable character which has characterised the work of the federal organs. All the constant disputes and conflicts between the cantons disappeared as if by magic on the introduction of the new constitution, and during the seventy-five years which have elapsed since then, the good relations have never once been seriously interrupted. Especially noteworthy is the fact that not even the war of 1914-18, though largely a conflict between German and Latin elements, essentially affected the relations between those nationalities in the Swiss Federation. True, the unity here was not subjected to so severe a test as in the case of the Union of South Africa, which was led to give up its neutrality and take an active part in the war. On the other hand, Switzerland was situated in the middle of Europe, between the belligerents.

Relations with other Powers also have altered entirely since the introduction of the new constitution. The treatment meted out to the Federation from without changed its character. The results of Swiss foreign

policy from 1815 to 1848 had been one long series of humiliations, from this point onwards, however, all questions of foreign affairs, though often difficult and dangerous enough, were settled in a manner favourable, or at least acceptable, to the Federation.

The Canton of Neuchâtel occupied the remarkable dual position of being at once a subject province under the King of Prussia and a member of the Swiss Eidgenossenschaft. When the Canton, with the sanction of the Federal Parliament, had adopted a republican constitution, and thus deposed the King of Prussia, the latter entered a protest, and his right to Neuchâtel was acknowledged by the Powers in the Treaty of London in 1852. A royalist revolt was then organised from Berlin, and broke out at the critical moment according to orders from Prussia. The Republican Government was arrested, but a few days later the Republicans gained the upper hand, and a number of Royalists were imprisoned. Prussia demanded their immediate liberation, but the Swiss Bundesrat refused. Prussia commenced active preparations for war, which then seemed imminent. But the Bundesrat held by its decision, and by mediation on the part of France, Prussia was finally induced to relinquish its claim to Neuchâtel without compensation.

In 1860, when Savoy and Nice were ceded to France, the Federation ventured to enter a claim to Faucigny and Chablais, which had been neutralised in 1815 together with the Swiss territories. France, however, could not agree to the demand, as the districts in question had not at the time been made over to Switzerland. In reality, this was, however, the case with Dappelthal, which was accordingly handed over to the Federation and with the conclusion, in 1864, of a highly favourable

commercial treaty between the Federation and France, relations between the two countries became extremely cordial

During the Franco-Prussian War of 1870-71, Switzerland was in a very difficult position, which culminated at the moment (February 1, 1871) when the defeated French army of the east crossed its frontiers. The neutrality of the Federation was, however, asserted and fully admitted.

After the acceptance of the dogma of infallibility in 1870, the Church of Rome endeavoured also in Switzerland to maintain its equality with the State, and the Roman Catholic Bishop at Basel dismissed on his own authority all ecclesiastical officers under him who would not recognise the principle. The cantons which composed the bishopric of Basel retaliated by dissolving the bishopric (1874), and when Rome then, despite the protest of the Federation, established a new bishopric at Geneva, and appointed a bishop there, the result was the passing by the Federation of new ecclesiastical laws definitely securing the supremacy of the State over the Church, which Rome had to submit to and accept. In 1888 the canton of Ticino was separated off from the foreign bishopric of Milan, and a see established at Lugano.

During the closing decades of the century the Swiss Government encountered considerable difficulty, especially on the part of Germany, in respect of the Swiss right of asylum which was being abused by socialist and anarchist elements for propaganda outside Swiss territory. The uniformly firm and correct attitude of the Federal Government, however, saved the situation here as in other cases.

The policy of the Swiss Government was for a long

time inclined towards free trade, but after the protectionist policy introduced by Bismarck in Germany in 1879 had in course of time been followed by France, Austria and Italy, Switzerland was obliged, in self-defence, to increase its tariffs to some extent in 1891 and further in 1903

The respect and good will with which the Swiss Federal Government came to be regarded not only by its nearest neighbours, but by the whole of Europe, is eloquently shown in the fact that numerous important international institutions have been domiciled in Swiss territory. First the Red Cross (1864), then the Universal Postal Union (1870), later the Convention of Berne regarding copyright in literary and artistic productions, and finally, in 1918, the League of Nations itself

In conclusion, the experience of history regarding the effects of the form of union above noted as offering protection against war to the United States of Europe, may be summed up as follows

(1) With one exception, there is no instance on record of war between States so united. This applies equally to federations of quite small extent (Switzerland) and huge areas of the size of Europe as a whole (Brazil, Canada, U S A). The pre-eminently reassuring, conciliatory and peace-procuring effects of such a form of union are always apparent in the same way from its first introduction. And it is thus a matter of indifference whether it be effected by voluntary agreement (U S A., Canada, Australia, South Africa), imposed by force of arms (the German Empire, Switzerland), or by a *coup d'etat* carried out by a small minority (Brazil). Similarly, it matters nothing whether the population concerned be almost entirely homogeneous (Australia,

and to a certain extent Germany) or composed of irregularly mingled elements from many different white races (USA) or of States of different nationality (Canada, South Africa, Switzerland, and Brazil), different language (Canada, South Africa, and Switzerland) and religion. Even the fact that the nations concerned were entirely hostile to one another, or even directly at war (Germany, Switzerland, South Africa), seems to make no difference. Existing dissension and hostility give place to peace and tolerance the moment the effect of the form of union makes itself felt. Even racial distinctions lose something of their sharpness, and in Brazil, at any rate, they afford no sort of hindrance to the peaceable co-operation between the States of the Union.

The only exception on record, that of the Civil War in the United States of America from 1861-65, was due to such an unfortunate combination of circumstances as can hardly be imagined as likely to occur again. National differences (Yankee minds *versus* Latin blood) and deep racial opposition, whetted to an extreme the old and really irreconcilable issue between high ideals on the one hand, and on the other that exploitation of the negro slaves which had for long been the foundation of all trade and economical life in the Southern States, on which, indeed, the welfare and wealth of the dominant whites almost exclusively depended. Furthermore, the conflict was fought out at a period when the implements of war were still no more complicated than that every man was more or less equipped for service as a soldier with the arms and outfit he possessed as a citizen.

(2) In all existing federations of this type, the various nations so united, great or small, live in reality each its own particular national life freely and unhindered.



Each has full scope to develop its own culture, speak its own tongue and follow its own religion, without interference from any other

(3) There is no instance on record of increased economical difficulties arising through the abolition of tariff barriers between the united States. Such difficulties as must doubtless have arisen in certain respects have at any rate been far outweighed by the great general advance in trade throughout the territories concerned, which has always and everywhere resulted from the formation of such unions, owing to the freedom thus obtained from the hampering bonds otherwise imposed on economical life by tariff barriers between the States.

## CHAPTER VIII

### SUMMARY OBSERVATIONS ON THE IMPORTANCE OF A EUROPA COMMUNIS AND THE NEED FOR SPEEDY FORMATION OF THE SAME

WE may, then, take it for granted that peace-loving, cultured, democratically governed States really can ensure peace among themselves and at the same time greatly strengthen their position against aggression from without, by entering into a "True political community" with a common system of defence, foreign affairs, customs, and coinage, etc

Most people would now, perhaps, without further consideration suppose that an alliance of this intimate nature must necessarily hinder the free national development of the peoples involved, and check the full development of their political life. This is, however, altogether erroneous. On the contrary, all peoples, great or small, will, under the protection of the League, obtain the best conditions of life in national respects, being free from all threat or fear of aggression on the part of other Powers. For the League Government would from its nature ensure them against this, with all its combined power in support. The state of things now prevailing in other existing Unions of the same character is sufficient to prove this.

Most, again, will perhaps regard it as futile from the outset to raise the question of speedy—nay, immediate—

application of this effective means to peace, partly because the passions aroused by the late war have not yet sufficiently subsided, partly—and especially—because it is taken for granted that such a combination as the United States of Europe could only be arrived at by a long and gradual process of development. This prejudice, however, need not be correct. Let us imagine, for instance, that a number of industrial limited companies, partly competing, partly co-operating with one another, were suddenly brought face to face with a series of inter-related difficulties. Wise policy might then easily suggest that the only thing to do was either to let each shift for itself as best it might, independently of the rest as far as possible, or, preferably, to enter into a definite amalgamation under a common management. Any intermediate form would here be unacceptable, since in the difficult situation which had arisen, no one would wish to build on lengthy and intricate agreements which could always be subject to different interpretations, and might easily be broken in secret by selfish competitors. But this, we may surely say, is precisely the position of our continent, its States and peoples, after the late war. All are involved in a mass of highly complicated, inter-related difficulties, none of which can be solved without the rest. Such a chain of difficulties may be compared with a series of intricate fractions which have to be added together. We have to find the common denominator first of all. And the common denominator that provides a good and sure solution of all the political difficulties in which Europe, its States and peoples, are now involved is just this immediate and direct establishment of the United States of Europe.

But what about the immense difficulties attending

such a step? Well, and what are they? Properly speaking three (1) Breach of all tradition, (2) passionate national opposition, and (3) the effect on industry produced by abolishing the tariff barriers

The breach of ancient tradition is undoubtedly an enormous obstacle, and yet, after all, we are now living through a period when almost every week sees some sensational breach of old tradition. Is it so unreasonable to crown the long series of breaches of tradition we have had through the last ten years by finishing off with the establishment of the United States of Europe?

And then, the passionate national feelings of opposition. These, of course, count for something, but the acute and recent cases are not the worst. Anyone with any close knowledge of human nature will know how rapidly feelings change in people passionately excited. It is strangely easy for sudden love to turn to hate, and vice versa. In Germany, during the war, it was always *Gott strafe England*, while the feeling towards France was friendly by comparison. Now it is the other way round. Fortunately, most people are so constituted that they find it difficult to keep for any length of time at the pitch of sudden hatred and take all its consequences on themselves. As a rule, a reaction sets in, a period during which they are most amenable to kindly and careful attempts at reconciliation.

And as regards the industrial difficulties occasioned by removing the tariff barriers, these will at first be reckoned as serious, but can be reduced, at any rate in an essential degree, if, as indicated above (p. 96) we restrict the tariff union to industrial products. It must also be borne in mind that in all countries it is only the predominant home industries that will be

really affected. And it should hardly be impossible to help this branch of industry safely through the difficulties attending a measure which procures so great advantages for all the other sections of the community

As a matter of fact, the speedy establishment of the United States of Europe could, as matters now stand in Europe, be effected without detriment to any, and to the great advantage of all the States involved. The proof of this assertion has already been given, in the main, in the foregoing pages, both as regards the minor States taken together and the Great Powers separately.

D. HOW CAN THE FORM OF THE  
PRESENT LEAGUE OF NATIONS  
BE ALTERED TO THAT OF A  
LEAGUE EFFECTIVELY ENSURING  
PEACE?

MANY will be at first inclined to believe that this transition not only should, but also can be effected slowly and gradually, step by step, just as in many countries, for instance, the present democratic form of government has gradually developed out of one essentially less democratic. And naturally the change would be best effected in this manner if it were possible in reality to let things develop gradually here.

The present considerations, however, show, with great certainty, that a form of union effectively ensuring peace cannot, when it comes to the point, be gradually developed from the one at present in use. We shall presumably be faced with a choice between two alternatives, and any change from one to the other will have to be direct and immediate and complete. In the chapter now following we shall proceed to show that this is the case.

## CHAPTER I

### ON THE PRACTICAL NECESSITY OF DIRECT TRANSITION FROM ONE FORM OF UNION TO THE OTHER

WE have already seen, in Section A On True and False Communities, that the reform of any "false community" as regards effective alteration of its organisation in the right direction, is a matter of the greatest difficulty (see p 20)

In the present case the nature of the difficulties attending gradual transition from the one form of League to the other will perhaps best be seen from the following

In the great State communities there are *two forms* of existence, each denoting an optimum of security from a different point of view. One is the state of absolute free independence, in which each State trusts solely and entirely to its own strength and in return is free from any shadow of obligation in regard to others. And it must be borne in mind that the Members of the present League of Nations are still in principle, and also in reality, at this stage, as long as unanimity is required to render the decisions of the League organs valid. The Covenant of the League merely throws a sort of mask over the state of things actually existing. The other form—which is in reality even safer—is the faultlessly organised "true community" in which all members together form an inviolable security for the

interests of each. All intermediate forms are, compared with either of these, decidedly inferior as regards security. A State which is effectively capable of defending itself and yet enters into agreements with other States for reduction of armaments either trusting in a court of arbitration, unsupported by any sure executive power, or trusting more or less that other members of the union will, in case of danger arising, render assistance not previously organised with perfect certainty, will always be running a serious risk. It will therefore be found, in practice, just as difficult to get a single Member of the League of Nations gradually to alter the covenant as it would be to get any sensible person to go tripping slowly along over a dangerous patch of bog. After some preliminary hesitation and feeling the way, we either decide to stay where we are or, if it can be done without too great a risk, to jump across. And this, we may presume, will be exactly the position of the individual States, and especially the Great Powers, in regard to the reformation of the League of Nations (see also the remarks in the middle of page 176)

As long as there is no fully effective guarantee that no one State can bring into action any kind of war-like measures (military political or economical) against another, there will always be some communities which regard it as incompatible with their own vital interests to submit to arbitration, definite restriction of armaments, abolition of tariff boundaries, signing of covenants or other similar binding agreements which one State might seek to obtain from another in the course of their vain attempts at arriving gradually at a community of interest ensuring peace between them. All such endeavours are doomed from the outset to lead to disappointment only. At best they can serve to



demonstrate the futility or inadequacy of the method employed. Apart from this, they will be waste of time, if nothing worse, and those who, in spite of all, persist in such endeavours, would do well to realise how they imperil the real progress of the cause. A continuance of abortive attempts can only arouse opposition and ill feeling, creating an atmosphere most unfavourable to the establishment of a true community and a harmful sense of distrust in the possibility of its ever being attained.

The cause of peace, then, will be the better served the sooner the peoples of Europe realise that there is hardly any possible form of transition from the one form of union to the other save that of immediate and complete substitution.

This view is in itself so obviously incontestable that it would hardly seem necessary to offer further proof, nevertheless, we should not perhaps omit to refer, in this case also, to the experience of history, as to the ways and means hitherto adopted by political communities in passing from one form of union to the other.

# 1

The United States of America employed from 1778 to 1787 a form of union entirely corresponding to that of the present League of Nations, but as both the War of Independence (1775-83) and the period following, with its many difficult questions to be settled, fully showed the futility and fruitlessness or even positively harmful character of this form of union, a convention was formed in 1787 to draw up the scheme of a new constitution. Despite the highly opposing elements embraced by the convention, the sound common sense of the Anglo-Saxon race triumphed after all in the decision to effect

at once the introduction of the present constitution as above described

## 2

In Canada also, the transition to the present form of government was made all at once, and not as the result of gradual development from a previous, looser type of union

## 3

In Australia the initial steps were taken by the formation of a Federal Council, which was joined by the colonies of the continent with one exception. Its composition and method of work were not unlike those of the present League of Nations. It met every alternate year, on the last occasion at Melbourne, in 1899, discussing, it is true, numerous matters of common concern to all the Australian colonies, but the general interest in its proceedings was of the slightest. It could only make recommendations to the States concerned, and had no means of enforcing its decision beyond such as the States agreed to furnish. No attempt was made to effect any gradual development of this council into the common institution of the present constitution; it had not, indeed, even the slightest voice in the acceptance of the latter. It was the Prime Minister of New South Wales who, in 1895, brought about the formation of a convention to prepare the proposals for a real federal constitution. True, the proposals of this convention were only accepted by three of the colonies, but in the course of a subsequent conference between the Prime Ministers of all the colonies concerned, amendments were arrived at which rendered it acceptable to all parties, and by the Commonwealth Act of 1900 the Commonwealth of Australia came into existence all at once.

## 4

In the case of South Africa, the idea of a Union arose out of a railways conference at which the delegates of the different colonies agreed to call a National Assembly to draw up the plans for a Union, under the British Crown, of the then self-governing South African colonies. The Assembly met soon after, first at Durban and later at Capetown, where in 1909 it completed the draft of a constitution which served as the foundation for the formation of the Union of South Africa (1910). This likewise came into being all at once.

## 5.

The United States of Brazil were likewise formed into a Union all at once and not as the result of any previous gradual development. The new constitution was dictated by a military junta after the abolition of the former Imperial Government.

## 6

Far more protracted were the birth-pangs in the case of Germany. Here, in 1815, a confederation was formed (p. 66) between all the German States, on entirely the same lines as the present League of Nations, and since it lasted no less than fifty-one years, it affords ample opportunity for the study of possibilities of development in this particular form of union. It was regarded at first with high anticipations by those who wished for peace, tolerance, and co-operation among the German peoples. How these hopes were fulfilled has been shown above. We shall here merely consider how far the confederation succeeded, during that half-century, in amending its form and character, and what resulted from the attempts made to that end. The difficulties attending any such reformation will at once

be apparent from the provision laid down in the constitution, to the effect that all resolutions tending in that direction must be unanimous—as with the present League of Nations. This being the case, it is rather a matter for surprise that certain additions were after all made to the original terms of the constitution, though they were, it is true, entirely in agreement with the letter and spirit of the same. We have here in mind the passing of the well-known “Wiener Schlussakt” of 1820 and a “Bundeskriegsverfassung” of 1821, both of which additions aimed at giving the confederation some means of combating “demagogic agitation” and “peril of revolution,” a matter on which those in authority at the time would find little difficulty in coming to agreement.

The Wiener Schlussakt was designed to achieve this end by reducing beforehand the sphere of power of the assemblies which the individual States might be expected to introduce in accordance with paragraph XIII of the Covenant. The Act itself, by the way, was passed in a curious fashion, the original “givers” of the constitution meeting in Vienna and agreeing to the amendment, ignoring the rules laid down for alterations in the constitution. This was really much the same as if those who drew up the Covenant of the League of Nations in 1919 were to meet again at Versailles some years after and calmly proceed to make “desirable amendments” to that Covenant. Nor was the matter suffered to pass without comment. The King of Württemberg did, indeed, allow his representative, before the close of the conference, to raise the question as to how these resolutions could be supposed to pass as constitutionally valid for the confederation without having been laid before the Assembly. Prince Metternich, however, found little

difficulty in persuading the States represented at Vienna of the difficulties and dangers to the confederation which such a proceeding would involve, urging also that it was unreasonable that the sovereigns originally responsible for the Covenant should not have power to "complete" the same

The second supplementary measure, the "*Kriegsverfassung*," which was passed by the narrower Assembly, is an interesting and highly characteristic item in the whole arrangement of the confederation. It did, it is true, bring about a just and reasonable distribution among the various States of the contingents to the confederate army, which, after all, was to be under the command of a *generalissimo* for the whole. This office however, was not to be filled until the moment when the plenum mobilised the confederate army, a position obviously fraught with enormous difficulties. It was, moreover, to be under constant supervision of military representatives of the different States—that is, of so many envious rivals. These representatives, moreover, were to reside at headquarters throughout the progress of operations. And it was impossible in peace time even approximately to mobilise and manœuvre with this confederate army in order to test the arrangement and amend its weak points.

The Wiener Schlussakt proved, indeed, the concluding paragraph of the Covenant. For over thirty years all attempts at reform were hopeless.

It was not until the revolutionary movements in 1848, and the consequent introduction of liberal constitutions in the German States, that an alteration in the situation was apparent, and characteristically enough, the attempt was then made outside the existing organs of the confederation.

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A "Vorparlament," arbitrary in its origin, passed certain rules for the election of a National Assembly (the Frankfort Parliament), which met, and in July 1848 formed a Central Government, with an imperial vicar, whereupon the Parliament was dissolved. For three years dissension increased, and all but led to war, on the question as to the form of the new constitution, until at last, in May 1851, the difficulty was ingeniously solved by reverting to the old confederate constitution unaltered, the Assembly resuming its regular meetings.

In 1859 former members of Parliament assembled anew, this time at Eisenach, though here again without arriving at any result save that of increasing, if anything, the existing dissension between the members of the confederation.

It was Bismarck who, in 1867, achieved the formation of the North German Federation all at once.

But the most eloquent testimony of all, as regards the insuperable difficulty of gradual reformation in a union of the type of the present League of Nations, is to be found in the history of the Swiss Confederation. Here the conditions could not by any means be said to preclude such possibility from the first. As already mentioned, the Federal Government had after all some decisive authority. It had certain forces, and certain funds, at its disposal, and what is more, it was only in exceptional cases that its resolutions required unanimous approval of all the cantons. As a rule, all that was needed was the positive approval of more than half the number (the so-called "Konklusum").

Nevertheless, no way was ever found of reforming the Swiss Confederation of 1815, and this despite the fact that there existed a party which, quite literally throughout the whole life of the confederation, actively

strove to affect a revision of the Covenant, and was ready to utilise any opportunity for so doing. The only real chance that ever occurred, however, was on the occasion of the July Revolution, the effect of which, as regards Switzerland, was the revision of the constitution in a number of cantons. It was Canton Thurgau which in 1831 took up the question of a revision of the Covenant in the Assembly, which was composed of one representative from each canton. It was soon found, however, that the feeling in favour of such a measure among these Government representatives was by no means equal to the keen and widespread interest which the question had aroused among the Swiss people. Only eight cantonal representatives supported the proposal brought forward by Thurgau for immediate action in the matter. Some were perhaps in favour of certain amendments, but regarded the position of the Federation as too uncertain to permit of the matter being taken up at once, while not a few of the representatives opposed the measure as likely to lead to a disruption of the Federation. Finally, it was decided—with just the required twelve votes—to refer the matter to the canton Governments “*ad referendum et instruendum*.” Despite the unrest existing in and between several of the cantons, the Federal Council took up the matter again the following year, after an introductory declaration from the President to the effect that the object in view was merely ‘a closer concentration of all forces for the maintenance of national independence, a greater freedom of initiative for the organs of the Federation, within the spheres of action once allotted to them, and suitable facilities for traffic between the cantons,’ there was no idea of any interference with cantonal sovereignty, or transition to a single State. It would

be hard to find a more moderate form for proposals of revision, and the Council did indeed support the movement in principle by appointing a commission to draw up proposals, which were then to be submitted to the cantonal Governments for consideration. We need not go further into the terms of the moderate, carefully formulated proposals of the "Bundesurkunde der schweizerischen Eidgenossenschaft," brought forward by the commission in 1832. We would merely point out that it did, in a really favourable manner, mediate between the opposite extremes, and provided the right foundation for a gradual and peaceful transition to the American type of constitution later introduced by force. The proposal was, however, rejected by a number of cantons, and the opposition to any amendment of the existing Covenant was increasing. The six Conservative cantons which stood firmly together in the same Federation, arranged a demonstration against the proposal by instructing their representatives not to attend the meetings of the council which in March 1833 went forward with the work of revision. Moreover, an active intervention was made from without, as neither the surrounding countries, Prussia, nor Russia wished to see the power of the Federation extended and increased. Prince Metternich informed the Federation that no other form of covenant could be recognised than that which had been approved at the Congress of Vienna in 1815, and that the united guarantee of Swiss neutrality must lapse on any alteration being made in that Covenant. The Council, however, was not to be checked by these increasing difficulties. A new Revision Committee was formed, this time with a representative from every canton willing to take part in the work at all. The new commission went through



very carefully the whole of the points of instruction, about five hundred, which it had received from the cantonal Governments, as well as the piles of addresses and appeals sent in by popular societies and meetings. In the course of the proceedings, however, the cantons began to feel an increasing anxiety as to reducing the guarantees of their economical interests and sovereignty, clinging desperately to this last point, and showing the most narrow-minded cantonal egoism on all sides. At last only Thurgau held to the proposal previously approved. A new "Entwurf einer revidierten Bundesurkunde" was then drawn up, involving only slight alterations in one or two points of the existing Covenant. This proposal was then sent out for consideration, partly by the Governments and partly by referendum, but no one was now really interested in passing the measure, and a majority of the cantons gradually laid it aside without giving it full consideration at all. The whole attempt at revision of the Covenant, after all its trouble, ended at last in the most ignominious fashion with no result at all.

Once again, in the same year, the representatives of interested cantons took up the matter confidentially, but broke up with the conclusion that they were altogether unable to find even a likely road to the slightest alteration in the Covenant.

During the years immediately following, further attempts at reform were rendered altogether impossible by the increasing dissension between the cantons, and it was not until this had led to open war that the victorious party was able to dictate the proper form of union. This was effected all at once in 1848.

It will be seen, then, how decisively the experience of history confirms the above-noted view, as to the

unpracticability of gradually reforming the present League.

We might here further ask what has been the experience of the present League with regard to the possibility of gradually reforming its own Covenant in the direction of a true community, five years, however, is of course too brief a period in the life of such an institution to yield any experience of importance here. As noted on p. 24, the Covenant was revised in 1921, no fewer than seven articles being altered. The alterations consisted in supplementary additions, the content of which did not in any way change the character of the Covenant as given, which is most plainly apparent from the clause requiring unanimity in all decisions of the League organs. This is the critical point. As soon as any serious attempt is made to interfere with this unanimity clause, all further progress ceases, because every individual State of any importance at once recognises that such a step leads into an international morass. The real centre of interest, then, is the question how far a gradual reformation of the Covenant would be possible in regard to this clause.

A point of great importance as evidence of real international desire for peace is the work carried out at the fifth meeting of the League Assembly (September 1924), recently concluded, with the adoption of the well-known protocol on arbitration, security and reduction of armaments, documents relating to the draft protocol for the pacific settlement of international disputes and the conference for the reduction of armaments. The following are the most important of the observations suggested to the present writer by the perusal of this protocol.

(1) The proposed compulsory arbitration will in more difficult cases be unable to dispense with the support of

a strong and firmly organised war and police force belonging to the League, at its certain disposal, and with unity of command assured beforehand. Instead of establishing such a force, the arbitration system is, it seems, to be supported by a general reduction of the armaments of Members, supposed to be put into force simultaneously with the arbitration rules. This is not altogether logical, since the smaller the armaments of the Members, the more difficult it will be in practice to set on foot common military sanctions, and the less respect will be felt for the possibility of their action by States affected by warlike inclinations. Reduction of armaments is an admirable means of international economy, but it is of very little real importance as a means of ensuring peace. If, for instance, five States reduce their armaments each by nine-tenths, their chances of gain or loss in war one against another will be precisely the same as before. There is not even any decisive guarantee when reduction is carried to the point of complete disarmament. A people disarmed, which has been smitten by the war fever, will simply proceed to the speediest possible production of war material as soon as the first bands of invaders, armed with shot-guns and axes, have crossed their frontier. Disarmament is only effective as a guarantee of peace when the States concerned simultaneously establish a properly organised force to maintain peace (the military and police force of the League itself).

(2) The entire proposal for compulsory arbitration can only come into force on being approved by the Disarmament Conference, convened by the Council for Monday, June 15, 1925, to which all States, both Members and non-Members of the League, are invited, and at which the League Council will bring forward "A general programme for the reduction and limitation of armaments." The question at once arises, How is the Council to draw up such a programme in this short space of time, which requires that it shall be in the hands of all the Governments not later than the 15th of March? Would it not take the Council a considerable number of years to arrive at unani-

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mous agreement as to the solution of so very difficult a problem as the drawing up of this programme certainly will be? And other questions, more and more intricate, suggest themselves Will Russia, Germany, and the U S A attend the conference? And can they be supposed to entertain at all the definite reduction of armaments programme upon which the League Council has been able to agree? If the U S A cannot agree to the programme for reduction of naval armaments, then England and Japan will, of course, be unable to do so And if Russia will not, then naturally, Finland, Sweden, the Border States, Poland, and Roumania must also decline And finally, one decisive question in this connection Is it possible to build in the least degree on Russian agreement to a reduction of armaments? Is not the whole idea rendered abortive from the outset by the fact that this must be regarded as impossible?

(3) The rules set forth in the protocol as regards coming into force are in the main as follows (a) The convening of the reduction of armaments conference is contingent upon the ratification of the protocol by at least a majority of the permanent Members of the League Council and ten other Members of the League (It is surely very doubtful whether these ratifications will ever be obtained) (b) The protocol then comes into force as soon as the reduction of armaments conference has agreed to the programme of armament reduction formulated by the Council (Presumably, it has to be agreed to unanimously by the conference and, we may suppose, without alteration For how would it be possible to tinker with so fragile a product as a reduction of armaments programme unanimously agreed to by the Council, without its falling to pieces? And can we imagine that it *would* be so agreed to, unanimously and without alteration, by the conference?) (c) If the programme adopted by the reduction of armaments conference be not carried into effect within a certain time limit determined by the conference (a convenient last chance for individual members to drop out), the Council has then officially to declare the entire protocol relinquished

(4) If we now imagine, in spite of all the miracles it involves, that the protocol has passed unscathed through all these perils, then the question again arises, How will the whole arrangement act? We can here at once assert that the compulsory arbitration system of the League will not be capable of formulating just decisions. The correctness of this assertion is confirmed by the tenor of the First Committee's report on the nature of the compulsory arbitration which it is proposed to introduce (C 582, M 199, 1924, IX p 7). With regard to the arbitration arrangement it is stated (b) It is not only an instrument for the administration of justice. It is, in addition and above all, an instrument of peace. [(b) Il n'est pas seulement un instrument de justice. Il est aussi et surtout un instrument de paix.] These words speak plainly. It is more a question of securing peace than of judging justly. But how is peace to be secured when the peace-securing decision is declared by or through the League Council, which is the central and dominant organ of the entire arbitration arrangement, whose decisions must be unanimous before they can be valid? Undoubtedly, then, the arbitration devices will be not so much judicial findings as compromises, securing peace by satisfying as far as possible the requirements of the greater and more influential States. These compromises, resulting from keen intrigue and diplomatic tug-of-war, will only too easily be more or less prejudicial to the minor States, and as a rule not altogether satisfactory to the greater Powers, though the latter will in most cases prefer them to an outbreak of war.

(5) We might nevertheless forgive the arbitration arrangement its functional shortcomings, if it really secured the Members of the League against war among themselves. But if it ever does have any real effect in this direction, it will be very limited. We can divide international conflicts into two main groups: firstly, the great majority which, suitably dealt with, can, with more or less difficulty, be settled without war, and secondly, the smaller category of conflicts based on such complicated differences or such

powerful driving forces that no human power or intervention can prevent their leading to war when once they have come to a head (From the nature of the case, the League arbitration system cannot take action until the conflict is apparent) It is doubtful whether the League will be able to settle disputes not seriously threatening war in any better manner than the former diplomatic methods, and from the following it will also be seen to be open to doubt whether a war could in any case be avoided by having recourse to the proposed arbitration

True, the First Committee writes (*loc cit*, p 1, at the top) "The Covenant of the League of Nations erected a wall of protection around the peace of the world, but it did not succeed in closing the circle sufficiently thoroughly to leave no opening for war Le pacte de la Société des Nations avait déjà tracé autour de la paix du monde un cercle de protection Mais il n'avait pas réussi à le fermer assez complètement pour ne laisser aucune issue à la guerre " And again "The new system of the protocol goes further It closes the circle drawn by the Covenant, it prohibits all wars of aggression Le nouveau système du Protocole va plus loin Il ferme le cercle tracé par le Pacte Il proscriit toute guerre d'aggression "

Nevertheless, the truth of the matter is that the protocol has left at least three openings in the wall of protection which was to ensure peace The first of these openings can be used quite legally, the second without incurring any penalty for illegality, the third positively illegal

(a) Any Member or group of Members finding it to its own interest to have freedom of action in the matter of resorting to war, can simply withdraw from the League in good time

(b) The second possibility lies in the ample opportunity for sabotage against the activity of the Council afforded by the unanimity clause If the arbitration protocol comes into force at all, then all Great Powers, as well as a number of minor States, will be represented on the Council It is also obvious that no conflict would ever grow to such dimensions as to threaten an outbreak of

war without some Members of the Council at least finding it to their interest to allow the war to break out. In these circumstances the function of the Council would be paralysed entirely. It cannot agree to anything whatever. The wall of protection collapses like a house of cards.

(c) And as regards the third, illegal form, this consists simply in a number of Members making short work of all formalities and starting a revolt against the League organisation. There have, as we know, before now been instances of revolt and revolution in Unions of peoples with far more solid organisation than that of the League of Nations. If the revolt is successful, then its illegality is soon forgotten. As a rule, the revolutionary Government is soon recognised by the adjacent States. The forces at the disposal of the League of Nations for use against any such rebels making war among themselves are, as already shown in Section B, altogether problematical. On p. 19 of the General Report, which serves as introduction to the arbitration protocol, the Third Committee (*rappporteur*, M. Benes) deals with the problem of application of military sanctions according to the Covenant of the League, and arrives at the following interpretation: "It will devolve upon the Council, which under Article XIII can be put in possession of the necessary data, to give its opinion, should need occur, as to the best means of executing the obligations which arise directly it enjoins the application of sanctions, especially as to the sequence in which the sanctions must be applied. The practical application of the sanctions would, however, always devolve upon the Governments, the real co-operation would ensure their getting into touch, through diplomatic channels—perhaps by conferences—and by direct relations between different General Staffs as in the last war. The Council would, of course, be aware of all these negotiations, would be consulted and make recommendations." The practical application of the military actions is thus, according to this, left entirely to the discretion of the respective Governments. Any co-operation between such States as might take action would be dependent upon diplomatic efforts, possibly on the result

of conferences, and thereafter on direct negotiations between the respective General Staffs. All this must be terrifying indeed to a group of nations inspired by the ardent conviction that their most vital interests are at stake, and impelled to aggressive warlike measures, equivalent to open rebellion against the League! Moreover, the League protocol in Article XV guarantees to the aggressor that he shall not be punished by the loss either of his political independence or of any part of his territory. That some such smart little revolutionary war of aggression will break out one fine day within this great loose world-League is the more likely, since

(1) The League has neglected to remove or even modify existing causes of war, which are, as a matter of fact, abundantly present after the world war

(2) The League has suffered its Members to retain their diplomatic corps, and their military forces are sufficiently unimpaired to allow a rapid development of full readiness for war in all countries, despite the reduction of armaments which has taken place

(3) The arbitration system of the League does certainly reduce the capacity for war of such Members as honestly obey its precepts, but does not effectively hinder other Members in secretly preparing for war

It is evident, then, that the proposed arbitration agreement of the League of Nations is a typical result of a typically executed piece of work on the part of a typical false community, which has acted precisely as shown in the introductory chapter on True and False Communities (p 13)

The task of securing the peace of the world is too difficult and complicated to be solved merely by signing a protocol with a protective wall of complicated paragraphs. Peace can only be effectively ensured by carrying out a series of practical measures, the nature of which<sup>1</sup> has been re-

<sup>1</sup> The removal of all the more important causes of war, including tariff barriers, which hinder the free development of industrial life, the abolition of diplomatic foreign departments of States, etc., and, above all, the establishment of the powerful and effective and reliable common military and police authority



peatedly noted, and which can only be put into force as an item in the formation of a true community of States really desirous of ensuring peace among themselves

We can, then, definitely assert that there is nothing in the experience of the present League of Nations which in the least degree argues against the statement that a gradual transition from the present League to the United States of Europe, or of the world in praxis will prove to be impossible

In this connection it should still be pointed out that the existing choice of two alternatives naturally applies, in reality, only to the *form* of union. Its content (sphere of authority) will be subject to far less restriction

In accordance with this, it might perhaps be possible, without serious harm, to introduce the formation of true community between States by the establishment of a League whose sphere of authority was confined to the tariff question, as long as the League were governed by (here we have the need of the right form of union) a common European tariff parliament, with other League government as required, a position already seen in the case of Germany (and South Africa). It is necessary, however, that those entering into this Tariff Union should realise that this first step will soon render it necessary to proceed farther. For in practice, the three main branches of government are so closely inter-related that a common system of defence, and a common foreign policy will be the obvious speedy consequence of a common tariff administration. This alone does not afford any certain preventive of internal

really allowing States to disarm, and giving the arbitration tribunals of the League the certainty of being able to formulate their decisions solely from the point of view of strictest justice

war (e.g. Germany), and it is just this common system of defence, with disarmament under shelter of the same, that Europe particularly needs in order speedily to rehabilitate its harassed economical life by means of the enormous saving thus effected

## CHAPTER II

### CONCERNING A METHOD PERMITTING GRADUAL TRANSFORMATION OF THE PRESENT LEAGUE OF NATIONS, IRRESPECTIVE OF THE NECESSITY FOR DIRECT TRANSITION, FROM ONE FORM OF UNION TO THE OTHER

It is immediately obvious that an enormous hindrance to the work of effectively securing peace is the necessity of letting the States concerned pass directly from absolute independence to a true community in regard to defence, foreign policy, industrial tariffs, and coinage. Imagine what it means to attempt the realisation of this aim for all the States now Members of the present League of Nations, with so many populations widely differing, not only as such but also in regard to culture and mode of life. All will agree as to the impossibility of aiming at the establishment of the United States of the World as an immediate object.

Undoubtedly, then, we must in some way or other proceed by gradual stages. But how?

We find the answer when we endeavour to divide the Members of the present League of Nations into groups with kindred culture and conditions of life, and also if we consider their various forms of constitution. We find, then, that there are, both within and outside the League of Nations, groups of States which

have already entered upon this desirable union amongst themselves. Thus, for instance, in the League, we have the United States of Australia, Brazil, Canada, and Switzerland, and outside it the United States of North America and Germany, both of which it is desired to include among the Members.

How natural would it be, then, to endeavour, under the protection afforded by the present League, to extend, now, after the late war, the process of development which before the war led one after another of the mentioned groups of States to unite in federations securing peace among themselves. More and more groups of States with the same cultural ideals would then in course of time form such federations, all as parallel subdivisions of the League of Nations. Continued development will undoubtedly lead several of these federations, formed on the same basis, to unite in even greater federal areas, until in course of time the work is finally completed by the combination of all in a common unity, the formation of which will be equivalent to the realisation of what now appears as the great and distant ideal of the future, the establishment of the United States of the World.

Until the transformation of the present League of Nations is thus completed, it retains its task of furthering co-operation and securing peace, as far as possible, between all the various federations which are, it is true, subdivisions of the League, but have not yet succeeded in fulfilling the requisite conditions for the great and final union which is to secure the peace of the world effectively.

In proceeding on these lines, we have the advantage of working on the great task of peace, as it were, from two sides at once, using a similar mode of procedure

to that employed in tunnelling through a mountain, when engineers begin on either side and the two tunnels meet somewhere in the middle. In this way, the existing official organs of the League will from their high position be able steadily and perseveringly to continue their efforts to extend and carry forward the organisation of measures for the prevention of war throughout the whole world, while at the same time others are working unofficially and as it were from within towards the uniting of more and greater federations of States in effectively peace-securing organisations within the League of Nations. The progress of either of the two branches of activity can doubtless only prove an aid and advantage to the efforts of the other.

The method indicated, then, affords the best means of combining the two kinds of work for the cause of peace, both of which are necessary: one seeking to ensure the peace of the whole world by extending the work of the League organisation, and the other seeking directly and at once to secure speedy and certain peace for the cultured nations suffering from the war, by the establishment of the Europa Communis above described.

In the last chapter of the previous section we showed how very pressing is the need for establishing this organisation, inasmuch as it affords the common denominator for solution of all European difficulties. Europe has a right to the remedy which is able not only to cure speedily and radically its immediate weaknesses, but also to ensure its internal peace, probably for all time.

## CHAPTER III

### EUROPA COMMUNIS AND ITS EXTENT

GENERALLY speaking, we can all agree that the greater the number of States which can be brought speedily to enter into this Europa Communis, the better it will be for the peace of the world. This would undoubtedly be less secure if there were to exist for a time simultaneously, let us say no fewer than three communities—the United States of Middle and Western Europe (Coudenhove Kalergi), the United States of Eastern Europe, with their possessions in Asia, and the British United States—than if the fusion of these three factors could be effected from the outset.

Plainly, then, this end should primarily be sought, and it is desired, then, to form what we might call THE ANGLO-EUROPEAN UNITED STATES, comprising all the States of Europe with their colonies, including self-governing ones. Presumably, the plan of this great combination will be found to possess considerably more unifying energy than any plans for partial union. It will thus, for several reasons, be less difficult to bring about the union of Middle and Western European States with England than without this last-named country, and on closer consideration it seems not altogether unlikely that the self-governing colonies of England might prefer to enter the Anglo-European United States as participants rather than remain outside such

a federation In such case, then, strange as it may seem at a first glance, England would, by joining the Anglo-European United States, bring its self-governing colonies closer to itself

In other respects also the formation of the Anglo-European United States might tend to draw nations together, since it may be supposed that the step would immediately remove all grounds for hesitation on the part of the United States of America as to entering the League of Nations And the same might easily apply to the Russian area, which might perhaps even prefer to enrol as a member of the U.S.E

E WHAT CAN NOW BE DONE  
TOWARDS THE ESTABLISH-  
MENT OF THE PROPOSED  
EUROPA COMMUNIS (THE  
ANGLO-EUROPEAN UNITED  
STATES) ?

CHAPTER I

PREPARATORY MEASURES

THE foregoing investigation thus shows that the establishment of our Europa Communis would be the means of ensuring co-operation, unity and peace between the peoples of Europe, and this, moreover, in such a manner as to guarantee the free development of national life in every individual nation

It is further proved that the transition from the existing form of the League of Nations, which does not ensure the maintenance of peace, to a really adequate form of union, can only be accomplished by immediate and direct exchange of the one for the other

This being so, it is evident that so radical a change, undertaken simultaneously by several nations, must necessarily be prepared beforehand by careful, thorough



and extensive propaganda designed to enlighten public opinion among the nations concerned.

But who could be supposed to undertake this work?

Certainly not the Governments of the respective nations. There are many reasons for this. In the first place, the Government of a State could hardly take any active steps in such a matter until its preparation has reached maturity. Furthermore, Governments at the present time are overburdened to an extreme with matters of internal and foreign policy arising out of the numerous difficulties occasioned by the late war. And finally, the great majority of European countries are now under parliamentary government by political parties, elected to rule in close accordance with a definite political programme in home affairs, in no case containing the slightest indication of any support for the idea of such a union as is here contemplated.

For the same reason, the matter could hardly be taken up by any existing political party, nor would this, indeed, be particularly desirable, since the progress and development of the cause should as far as possible be kept aloof from the sphere of party politics.

It is evident, then, that the furtherance of our project, the formation of the proposed Europa Communis, must for the present be left to private initiative.

It is obvious, moreover, that such an undertaking must necessarily fall hopelessly short of the mark if carried out only in one country at a time, according as circumstances seem to favour it here or there. The work should be set in progress as nearly as possible simultaneously in several countries, and following certain uniform principles throughout. It follows, then, that the necessary private initiative must be taken by an international organisation—which might fittingly be

called "Europa"—embracing as many as possible of the countries of European culture and with all requisite unity and firmness in its leading organs

Such an organisation would have to take all possible steps to bring about a better acquaintance and understanding between the nations of Europe, with a friendly interest in each for the conditions and peculiarities of the rest. It would also have to undertake suitable propaganda with a view to demonstrating the inestimable advantages accruing to each and all of the peoples concerned from the proposed form of union, at the same time indicating how the difficulties necessarily arising in certain spheres from the transition might be met without detriment to the interests of any class or occupation. And finally, the organisation must be free to agitate in due course, should this be needed, for the actual carrying out of the project of union.

As regards the form of such an organisation, it must be emphatically pointed out from the first that it should be formed at once as an inter-European society, in spirit and constitution closely following the lines of the union it seeks to establish. There could, therefore, be no more fatal error than to organise it as a number of distinct and separate national societies acting in occasional co-operation, as, for instance, with a Danish, a Swedish, a Norwegian, a Dutch, a Belgian, an English, a French, and a German society all as individual units. This would merely give an organisation on the lines of the present League of Nations and would have precisely the same difficulties as the League in attaining any results.

And finally, there is the highly important question as to who should best take the initiative in forming this organisation. On first consideration it might seem

natural to turn to the two most powerful countries in Europe, viz England and France, the greatest of the victorious Allies in Europe. But when it comes to the point, would not the very weight of their armament, so to speak, prove a hindrance here? Any introductory steps proceeding mainly from England or France might easily be interpreted either as a sign of weakness, or as an attempt at hegemony. In any case, whichever of these two countries put forward the proposal would have to be prepared to make, in return for its acceptance, concessions beyond those demanded by fairness and justice. And on considering the possibility of such a proposal put forward by England and France together, it will soon be apparent that this might prove unfortunate in its effects, inasmuch as it would emanate from the parties victorious in the late war and could easily be somewhat to the prejudice of the vanquished, or might at least be so regarded by the latter.

We then turn to those countries which remained neutral during the late war. All these, with the exception of Spain, come under the heading of smaller States. Any initiative proceeding from these countries would at once have two considerable advantages. It would appear in a neutral character to begin with, and no one could ever suspect the originators of any secret aspirations in the direction of hegemony.

And which of the neutral States, again, is best suited for our purpose? Undoubtedly, the general vote would point to Switzerland. That country is, through its own history, closely acquainted with the effects both of the form of union which should be speedily dissolved and that which should replace it. Moreover, Switzerland has among its population representatives of three of the most important European nationalities, and finally,

it may in a way be regarded as the political heart of Europe, or even of the world, as sheltering nearly all the existing international institutions, notably the present League of Nations itself

Since, however, no such initiative has been forthcoming on the part of Switzerland, it can hardly appear detrimental to the cause if Denmark, or better still, Scandinavia as a whole, were to make a beginning, provided immediate steps are taken to enrol Switzerland, Holland, and Belgium, and then proceed, simultaneously if possible, to England, France, Germany, and Italy

And finally, then, a closer consideration of the whole question of organisation shows that the numerous difficulties attending the work of establishment and organisation will presumably best be surmounted by the immediate adoption in Scandinavia of measures to form the international organisation "Europa," with ultimate formation of its Scandinavian national societies. The movement, then, appeals to the rest of Europe, offering its plan of organisation, with its framework already laid down and agreed upon beforehand

## CHAPTER II

### HOW TO EFFECT THE FORMATION OF THE ANGLO- EUROPEAN UNITED STATES

ALL will agree that the work here must come under two heads

(1) In each of the countries concerned, introductory and preparatory work must first be undertaken, consisting partly in investigating and making clear the positive interest of the country concerned in the question, partly in ascertaining that sufficiently extensive and important support is to be found among the population. This work can only be carried out by private means, through an organisation formed for the purpose, and it is for the solution of this task that the formation of the "Europa" society is proposed

(2) When all the preliminary work has been accomplished, the Governments of the interested countries must take over the official solution of the problem. From the nature of the case, the method of procedure will consist in the respective Governments agreeing to send delegates to a common European conference. At this conference, proposals will be drawn up for the constitution of the federated States, and each country will then have to consider these proposals

The point of interest at present, then, is the first item on the programme, the formation, in one country

after another, of the proposed international organisation,  
 "Europa "

## 1

It does not take long to see the difficulties attending the accomplishment of this task, the magnitude of which, in conjunction with the marked scepticism everywhere existing, will greatly hinder the procuring of adequate quantitative and qualitative support, which is indispensable for the success of the undertaking.

As is often the case with great tasks, this too, presumably, may be best accomplished by gradual degrees? But what is the way? We could, perhaps, at once think of using the method otherwise adopted in forming combinations generally. The first thing is to form a little group of persons supporting the programme put forward, after which the circle is gradually extended. The matter, however, is not so simple as this. In practice, it will be found almost impossible to bring together even a small circle of persons uniting in so important and complex a task. We shall come upon a remarkable feature which seems to do away with the idea of gradual progress, namely, that either practically no support is forthcoming, or nearly everybody joins. This is due first of all to the fact that in each country the ordinary citizen will be extremely disinclined to bind himself to a cause so important in many respects with which he is not familiar, until he knows that his country's experts in these various fields, and men of standing in the nation, support the cause themselves, or at any rate do not oppose it. But, on the other hand, if we go to the leading men and experts, we shall undoubtedly find them even less willing to declare themselves than the man in the street, because their responsibility is so much greater. Thus men prominent as representatives

of culture and intelligence will be loath to join the movement unless the politicians and the business men, who are, in reality, the parties chiefly interested, do the same. The politicians, again, will wish to know the views of business men before taking their decision. And might not the daily Press also keep silence as long as possible, until the views of the interests represented were known? Furthermore, party politicians would prefer to know a little about the views of other parties on the subject. And finally, it is obvious that the leading men both in politics and in business organisations will be unable to take action in such a matter without first sounding subordinate leaders in their organisations. We find, then, that the leading men of our highly organised modern society can hardly be won over individually to such a cause as this. In practice, they will hang together, each loath to act without his fellows. And we are faced with an alternative, "all or none," which seems to bar our progress along the road of gradual degrees.

## 2

We have, then, to find another method which can be followed at an easy pace or by successive stages, and thus may conveniently be as follows:

(1) First of all, the matter is brought forward in each individual country, being placed as far as possible before really prominent and leading men in various spheres, more especially those who might on first consideration seem least likely to support it. If, then, the initial interest aroused prove sufficiently positive and sufficiently extensive, we can

(2) Endeavour to obtain support from important leading and prominent men in the community towards the formation of an organisation (a "national com-

mittee"), whose task it would be: firstly, to investigate and make clear the interest of the country as regards its entry into the Anglo-European United States, and further, to consider the question of establishing, in the country, sub-sections of the proposed Europa organisation. If, then, the work of the Committee yields adequate positive result, in the form of a report signed by a sufficient number of leading and prominent men in intellectual circles, political life, business and the daily Press, then we can

(3) Form temporary national divisions of the Europa organisation, whose task it will be to ascertain that there exists sufficient interest in and support for the cause among the people generally. Not until this has been done will it be time to

(4) Form, in each individual country, the definite national societies under the Europa organisation

### 3

It would seem that the method above indicated is the only practicable one for solving peaceably under modern conditions so great and difficult an international problem as that here in question. By using this method, the existing comprehensive and profound organisation of social interests will prove an enormous assistance, far more than a hindrance, to the work. Through the leading men of the organisations, the interest and support of the members would also be gained, and the whole course of the work becomes astonishingly less difficult than one would have thought at first, always provided, of course, that the cause itself, the formation of the Anglo-European United States, really is as greatly conducive to the welfare of all parties concerned as the present writer has supposed.



The mere fact that the formation of the Europa organisation in a given country has thus succeeded will really provide the decisive proof that there is sufficient interest in the cause in that country for its Government to be able at any time to announce its participation in the common European conference which will formulate the constitution plans for the U S E , and there is thus some method in the present writer's madness when he finds it advisable to fix, as the object of the undertaking, the convening of the conference before 1930.

## 4

We have yet to answer the question Who is to be the driving force in the whole work of agitation for the formation of the national societies of the Europa organisation? Really, all that is needed here is a small, select corps of able accoucheurs, a staff of " secretaries " for the movement, working together under the common leadership of a general secretary. These secretaries would then constitute, as it were, the collecting element, the binding medium which places itself at the disposal of the leading and prominent men of the nation and its organisations in each country. It will be these leading men who at all times retain the supreme direction of the work for the cause, point out the various tasks, their area and extent, while paid secretaries and chairmen of working committees will be responsible for the proper execution of the work with the best possible expert assistance.

Obviously, the secretaries of the movement should be as " neutral " as possible, and thus without any previous connection with any of the various spheres of interest the reconciliation and co-operation of which it is their business to secure. It must be plain to all

that the secretaries are working only for the common good of all, not seeking particular advantage for any person or party whatever. In each country it would, of course, be preferable not to choose as secretaries men who have previously worked for ordinary political or business interests, while the general secretary should, at least for the present, preferably be elected from one of those countries which remained neutral during the late war.

## 5

Finally, it is obvious that any movement, however great dimensions it may grow to, must have had a quite small starting-point at first, and have been impelled, to begin with, by a comparatively slight motive force. In the present case it is the writer of this book, a man from quite a small town (Roskilde) in a country (Denmark) which is perhaps the most unpretentious in Europe, who has taken the initiative. Having never belonged to any political party, and having always—as a medical man by profession—been outside all business interests, he thus fulfils the qualifications at first laid down. The question then is, whether he be found to possess the requisite strength and ability adequately to assist in accomplishing the first part of the undertaking, the formation of the Europa organisation in Scandinavia.

The attempt to do so commenced in 1924, and the following postscript will give briefly the first orientating results.

## POSTSCRIPT

THE formation of an international popular movement for the foundation of the Anglo-European United States as a part of the League of Nations is thus the right means of paving the way for the union which must be regarded as the only sure remedy for the difficulties in which Europe is at present involved, and the present little book has been written with a view to serving, if possible, as a basis for such a movement.

The undersigned, who felt it his duty at least to make a serious attempt to start the movement, had to begin with an investigation of the state of feeling in Scandinavia, from where the movement was intended to proceed, and it would then be as well to have this investigation made beforehand, prior to the publication of the book, as the soil would then have been in some degree prepared for its appearance.

The investigation might have been commenced by sounding the opinion of Danish compatriots in the matter. But the difficulty of gaining ground in face of all the smiling scepticism with which they would infallibly meet it could not but discourage such a step. One precious year after another might easily have been spent in the endeavour to obtain support which, when it came to the point, proved qualitatively insufficient to be of any real importance. And it might also be supposed that the Danes would easily be won over if Swedes and Norwegians had already given their support

. It was then obviously best to go first to Sweden and Norway with the plans. But would not very possibly the difficulties be greater in the last-mentioned country than in Sweden? And was it not also a necessary condition to success that not only Sweden and Denmark, but also Norway, should be enrolled among its supporters? We might then just as well take the bull by the horns; and consequently it was the Norwegians who were the first to make the acquaintance of this book.

During a stay in Oslo early in the present year, it was placed before nearly fifty important Norwegians, men and women, representing business interests, the Press and politics. The matter was discussed in detail with a number of these, and the discussion led to a result far less unfavourable than had been expected. Despite the inevitable scepticism repeatedly expressed, there was no mistaking the fact that the question had aroused considerable interest. Indeed, a number of important men did not hesitate to give the matter their approval, qualified, it is true. But more than this, it was found that the Norwegian Society of the League of Nations, whose governing body comprised Fridtjof Nansen, Kristine Bonnevie, Johan Bredal, Johan Castberg, Willy Gørrisen, S. C. Hammer, Wilhelm Keilhau, Ole Lian, and Arnold Ræstad, had already, on January 30, 1919, made public some "Observations on the Principles of the League of Nations, approved by the Council of the Society," several of which entirely coincide with corresponding observations in this volume. *Inter alia*, it is noted that "tariff barriers between the countries should be gradually abolished," and that "the supreme authority of the League should be a world congress in which all the par-

icipating nations are represented according to their population and international importance." Thus the most important of the ideas suggested in this book were by no means new in Norway, and had already then firm supporters there.

The next question was how the matter would be received in Sweden. In order to get some idea as to this, copies of the book were sent out in February to close on a hundred important Swedish men and women, representing business, politics and the Press. And here we had at once something like an incipient proof of what an interested Swede, after reading the book "A New Europe," had declared, that the proposal for Scandinavian initiative in a matter of so great importance to the welfare of Europe could not fail to find an echo among the people of Gustavus Adolphus and Charles XII. The discussion of the matter on visits to Stockholm and Gothenburg also yielded, in the main, the same results for Sweden that had previously been obtained in Norway. The idea of establishing the United States of Europe was approved as the sure remedy for the present unfortunate state of Europe, and no one failed to be interested in, or positively opposed, the suggestion of seeking to attain this end by forming an organised international popular movement. Naturally, however, the Swedes as well as the Norwegians regarded the plan as such with the greatest scepticism, which, however, for the most part was in both cases due to the doubt whether it would prove possible in practice to organise so extensive a political society in a manner enabling it to do anything of real importance towards the accomplishment of its enormous task.

It has, then, already proved an essential condition

for the further progress of the work that there should be previously formulated an entirely acceptable proposal for the organisation of the "Europa" Society

This being so, the present writer did not hesitate to draw up such a proposal, in the form of a basis for discussion "Observations on THE ORGANISATION OF A POPULAR INTERNATIONAL EUROPA SOCIETY, designed to bring together those members of the various nations who might wish to work towards the establishment of the Anglo-European United States as a part of the League of Nations" This work will now be printed and published as speedily as possible, together with a report of the further efforts to bring about a Scandinavian initiative in the matter

THE AUTHOR

*Roskilde, Denmark, 1924*

Professor Otto Jespersen, Ph D , LL D , Professor Kristoffer Nyrop, Ph D , and Professor Karl Larsen, author, representing in Danish culture a specially English, a specially French, and a specially German trend of interest, make the following

#### INVITATION TO THE READER.

We, the undersigned, recognising the imperfect degree of security of peace and of freedom in national life afforded by the present League of Nations,

and further regarding the possible establishment of the United States of Europe as a decisive means of settling the existing disputes between the peoples of our continent, and increasing their economical and political strength,

and in the hope that the idea of a European community of this nature may be furthered by a union of its supporters among the different European nations,

hereby subscribe to the proposal for forming a common organisation of those sharing these views—with a preliminary "Europa" Society as the first step—with as many European States as possible, and their self-governing colonies

In accordance herewith, we invite such readers of the book as may agree with us to inform Dr Heerfordt, Vester Boulevard 15, Copenhagen, as to how far they

might be actively interested in the work, in order that they may be further advised as to what has been done and may subsequently be done in the matter

†

Otto Jespersen,  
Karl Larsen,  
Kr Nyrop.